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Duncan, Helen (1895 -
" (defendant)

THE TRIAL OF MRS. DUNCAN

Edited, with a Foreword,

by

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and a Note on the Old Bailey

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MRS. HELEN DUNCAN

301 COPNOR ROAD , PORTSMOUTH.
WEDNESDAY, JANUARY 19, 1944

CHIMNEY BREAST

R O S T R U M

READING
DESK

33
DAPHNE
TAYLOR
MRS. GREEN

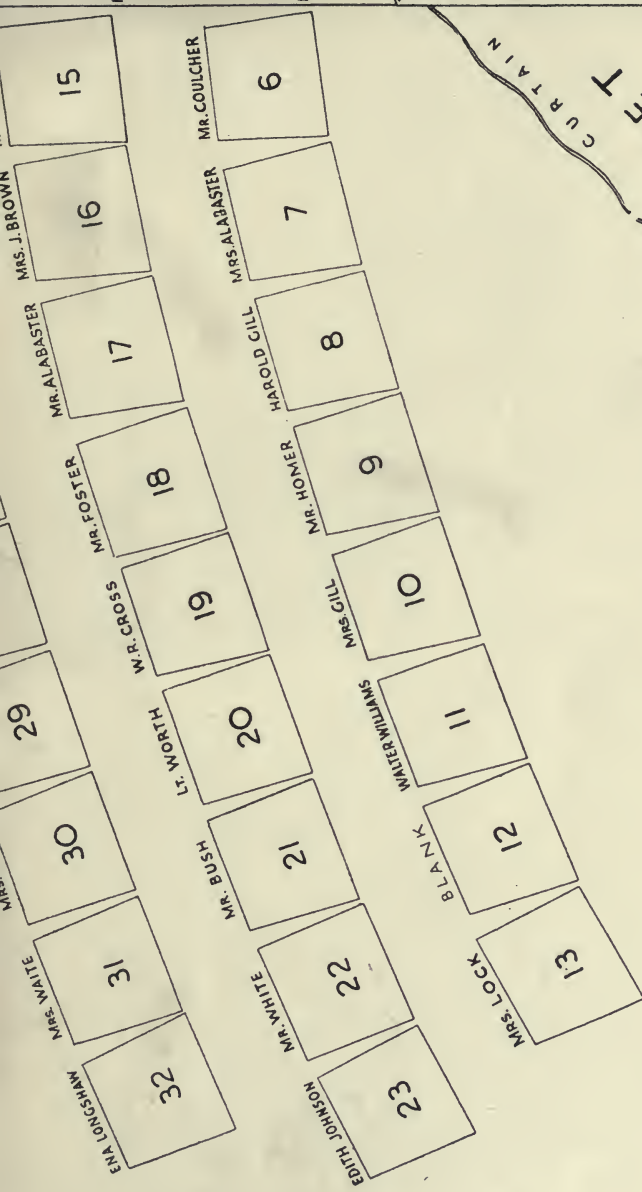
MR. GREEN

MR. JACOBS

W

MRS. BIRD SEAT 14

MISS HOMER 5



CURTAIN CABINET CURTAIN

CONTENTS (*contd.*)

Sixth Day.—Thursday, 30th March, 1944

	<i>Page</i>		<i>Page</i>
A. Dodd	256	J. W. M. Smith	291
J. Winning	266	L. Hurd	293
H. J. Steabben	270	M. Lyons	295
M. T. Kerb	273	J. W. Gerrard	296
A. Ormesher	275	H. Fry	298
V. Woodcock	282	J. Dodds	300
Sir J. W. Harris	284	F. Spencer	302
J. M. Duncan	288		

Seventh Day.—Friday, 31st March, 1944

Closing Speech for the Defence	305
Summing-Up	320
Verdict	336

Eighth Day.—Monday, 3rd April, 1944

Sentences	339
-----------------	-----

THE APPEAL:

Monday, 19th June, 1944

Grounds for Appeal	342
Judgment	343

A NOTE ON THE OLD BAILEY, by Helena Normanton	349
---	-----

ILLUSTRATIONS

	<i>Page</i>
MRS. HELEN DUNCAN	Frontispiece
THE "MASTER TEMPLE PSYCHIC CENTRE," PORTSMOUTH	Facing 16
MR. AND MRS. HOMER	,, 17
SIR GERALD DODSON, RECORDER OF LONDON	,, 32
MR. JOHN MAUDE, K.C. }	33
MR. HENRY ELAM }	
EXHIBIT 4: "SPIRIT PHOTOGRAPH" SHOWN BY MRS. BROWN	,, 64
"SPIRIT" PHOTOGRAPHED BY SERGEANT TAYLOR	,, 65
OTHER "SPIRIT EXTRAS" PHOTOGRAPHED BY SERGEANT TAYLOR	,, 96, 97
MR. C. E. LOSEBY	,, 144
THE OLD BAILEY BEFORE 1770	,, 145
THE OLD BAILEY IN THE GORDON RIOTS, 1780	,, 160
THE OLD BAILEY, 1889	,, 161
THE OLD BAILEY BEFORE THE "BLITZ"	,, 208
THE OLD BAILEY AFTER THE "BLITZ"	,, 209

End papers : Sketch plan of Seance, Wednesday, January 19, 1944.

THE TRIAL OF MRS. DUNCAN

FOREWORD

WAR or no War, the sensational announcement in the spring of 1944 that a well-known Spiritualist medium, Mrs. Helen Duncan, and three other persons were to be put on trial at the Old Bailey for offences against the Witchcraft Act of 1735 startled readers and radio-listeners all over the world. It seemed, to put it mildly, an anachronism. Unusual, indeed fantastic, as were some of the incidents (and much of the evidence) at the trial, it is the highest possible tribute to those responsible for the conduct of proceedings in the Central Criminal Court and in the Court of Criminal Appeal that, whatever view is taken of the verdicts, nobody can reasonably assert that any attempt was made to violate the right of free worship in general, or, in particular, to persecute the worldwide and numerically powerful Spiritualist sect. By Spiritualists everywhere the trial will be regarded as a historical milestone; for others it stands out as one of the most curious interludes in the long annals of the Old Bailey.

At the time of the trial the Spiritualist movement was not quite a hundred years old, having been inaugurated by the Fox Sisters at Rochester, in the State of New York, in 1848. The belief that human beings have souls, or spirits, which survive the death of the body is implicit in most religions: but the essence of Spiritualism is the conviction that such surviving spirits can, and do, communicate with people on earth through the channel of abnormal individuals known as 'mediums.' Not that even this is new: the Witch of En-dor was asked by Saul to "divine to me by the familiar spirit, and bring me him up [from the spirit world] whom I shall name unto thee" (I Samuel xxviii, 8). We may note in passing that the En-dor medium, admittedly uncomfortable in the presence of her royal visitor, reversed the practice of most modern mediums by sending her client away with anything but consoling tidings. What makes Spiritualism unique as a movement is that it has built up over the last century a technique of mediumship which is followed almost universally by its devotees: the main feature of this is that the medium falls into what is called a trance, comes then (so Spiritualists believe) under the control of a spirit guide and, with the guide's aid, acts as a conduit-pipe for communications between the living audience (who are known as 'sitters') and the spirits which have 'passed on' or 'passed over'. For reasons not difficult to guess, the phrase 'passed down' is not used nowadays, as it would have been by Saul and the Witch. Most mediums confine themselves to this verbal interchange, but there are others (among them the Fox Sisters) who have produced what are called 'physical phenomena'. To take three examples: some claim to create conditions in which invisible spirits may be heard rapping messages; others, known as 'direct voice' mediums, put their vocal chords directly at the service of the spirits whose other familiar voices may be recognized by their living friends and relations; of others again—and it is to this class that Mrs. Duncan belongs—it is claimed that they are able, when in trance and under the control of their guides, to materialise the actual physical form of a spirit, not indeed in flesh and blood but in a strange semi-physical, semi-spiritual substance known as 'ectoplasm' which exudes from their body.*

The members of this last class are known as 'materialisation mediums'; it need hardly be said that they are the rarest. They have also been the most

*The word *ectoplasm*, familiar to botanists, entered the Spiritualist vocabulary through the French Professor Charles Richet, in connection with the phenomena of a medium known as 'Eva C' whom he sponsored in the early years of the present century.

unfortunate in their contact with a sceptical world: very few of them have practised for long without being publicly accused of fraud. Daniel Douglas Home (Browning's 'Mr. Sludge'), for example, was sitting in 1857 with the Empress Eugénie of France when she exclaimed, "The hand of a dead child has just touched me," but an onlooker insisted that he had seen Home slip his naked foot out of his shoe and prod the Empress with it; the public career of Mme. Blavatsky, the Russian founder of Theosophy, who began her psychic career as a medium and continued as a Theosophist to produce physical phenomena of various remarkable kinds, was shattered in the 'eighties by the detailed exposure of her methods by Hodgson, an Australian investigator; the genuineness of Richet's protégée, Eva C., who first specialised in the mass production of ectoplasmic forms was exploded by British and French investigators alike. It must not be imagined, however, that Spiritualists as a whole have ever acknowledged these setbacks; on the contrary, most believers utterly reject them, insisting that they are, due, at best, to an unsympathetic approach by the investigators or, at worst, to malicious efforts by scoffers to discredit genuine phenomena. There is certainly a section of Spiritualist opinion which, while admitting that some of the exposures must be accepted, claims that the mediums concerned are nevertheless able to produce genuine materialisations. It is, the argument runs, because they are anxious not to disappoint an eager seeker after spiritual consolation and proof of survival after death that (in their unconscious or sub-conscious trance state) they occasionally fake results. This theory is often put forward by enthusiasts, especially when, as sometimes happens, exposed materialisation mediums suddenly decide to confess to fraud and explain their methods, not unprofitably to themselves, in books or newspaper articles. What is even stranger is that, when a professional entertainer reproduces materialisation phenomena on the public stage, imitating seance conditions, some Spiritualists refuse to take him at his own valuation. When the illusionist Houdini, for instance, performed tricks of this kind, the late Sir Arthur Conan Doyle seriously suggested that Houdini was perhaps "the greatest physical medium of modern times"; while Maskelyne, the conjuror, was dumb-founded to find himself similarly acclaimed by the Rev. Stainton Moses ('M.B.Oxon'), a venerated figure in the yesterday of British Spiritualism.

On the whole, however, the chief upholders of the genuineness of present-day materialisation mediumship—several of whom came to the Old Bailey to give evidence at Mrs. Duncan's trial—do not indulge in such subtleties. They assert and (as will be seen from the evidence in this volume) they cannot be shaken in this opinion, that Mrs. Duncan and her like are always, everywhere and in every way genuine practitioners, exposed as such to persecution at the hands of ignorant, thoughtless, and even deliberately wicked unbelievers.

Mrs. Duncan indeed is a notable example of such alleged persecution and its results. Born in Perthshire in 1898 in a working-class family, married to a working man and the mother of six children, she first came into prominence as a materialising medium in 1931 when she was investigated by a Spiritualist society in London: its report was wholly unfavourable to her claims. The sequel, strangely enough, was to rally round her a large body of enthusiasts, led by a Mr. McIndoe, the president of the Spiritualists' National Union, who acclaimed her as a martyr to her mediumistic gifts and publicised her among the faithful as a materialisation medium of outstanding importance.* Her fame grew, and so did her professional practice. In 1933, however, she was tried and convicted by an Edinburgh court for obtaining money from sitters by false pretences, the most damning part of the evidence being that a spirit guide named Peggy, materialised by Mrs. Duncan, was built up not of ectoplasm but of a piece of thin white cloth, which was actually gripped and torn by one of the audience. Again, as in 1931, her admirers declared that she had been falsely accused and wrongly condemned, and the demand for her

*For some account of these matters, see my *The Truth About Spiritualism*, 1932 edition, pp. 256-261.

services increased to such an extent all over the United Kingdom that, as we shall see, she was able by the beginning of 1944 to demand as much as £104 for a week's mediumship at Portsmouth. This proved an unfortunate engagement.

The sponsors of her Portsmouth appearance were a Spiritualist couple named Homer, who kept a small druggists' shop. Over it was a room registered as the 'Master Temple Psychic Centre.' At some time in December 1943 Mrs. Homer told a young naval officer, Lieutenant Worth, who was curious about Spiritualism, that Mrs. Duncan, whom she declared a wonderful materialisation medium, was coming to give a series of seances at the Temple. Among other marvels which Mrs. Homer described was that the ectoplasm Mrs. Duncan produced was so vital that, when it rushed back into her body after being built up as a spirit form, it swept with it all sorts of objects from the floor into the medium's physical body, like a vacuum-cleaner. Worth was sufficiently impressed to ask if he could attend one of the seances, and bought a seat for 12s. 6d. He then told Mrs. Homer that he had a doctor friend, Surgeon-Lieutenant Fowler, who was sceptical about Spiritualism. Mrs. Homer said, "Bring him along to see Helen Duncan. I'll give him a seat in the front row and scare him stiff." Another 12s. 6d. changed hands.

On January 14 the two young men went to the Temple. They found in it about twenty chairs in two rows, on the seats of which were slips of paper marked with the names of the 'intending sitters.' The chairs faced a corner of the room which, in accordance with the usual custom at such seances, was fitted with a rod supporting two dark curtains on rings. There was a large chair for the medium inside the 'cabinet' (as this curtained corner is called) and the walls behind were draped with other dark curtains. When the sitters took their places—and it so happened that Worth and his friend inadvertently changed places—Mrs. Homer passed round a black frock, a pair of black knickers and a pair of black shoes. The sitters agreed that these articles had nothing concealed in them; Mrs. Homer then invited three women to go into an adjacent room and watch Mrs. Duncan undress and put on the black clothes. Meanwhile other sitters searched the cabinet and found no white cloth or other possible means of fraud. The women who watched Mrs. Duncan dress were satisfied that she stripped before putting on the seance clothes; they also searched her hair. The sitters returned to their seats; Mrs. Duncan—a large woman weighing the best part of twenty stone, with a round, red, almost bovine face—entered the Temple and sat on the chair in the cabinet; she seemed to go at once into a trance, and Mrs. Homer drew the curtains across the front of the cabinet, shutting the medium off from view. All lights were put out except a red lamp of low strength, which was further dimmed by a red silk handkerchief.

It is a tradition of Spiritualism that spirits will not materialise in a good light, and what is called 'faint red light' is almost invariably used: moreover, exposure of the medium to bright light is supposed to cause serious, if not fatal, injury. Obviously the absence of light makes fraud more possible, but it is only fair to Mrs. Duncan and the Homers to point out that they did not invent the lighting system; Spiritualist tradition insists on it. So too it was according to custom that Mrs. Homer opened the seance with an extempore prayer, which was followed by a general rendering of the Lord's Prayer. Nor was there anything unusual in her suggestion that the sitters should then sing a popular song, 'South of the Border,' a favourite of Mrs. Duncan's spirit guide, Albert; the most unspiritual songs are sung in such circumstances, and they are often popular ditties of this type. I have myself heard the not wholly inappropriate 'Won't you come home, Bill Bailey?' sung at a seance.

It is interesting, in view of what followed, to note where various people were placed in the room. Worth and Fowler, the two naval officers, sat in the second row, with Homer on their left; as I have said, they had changed

their seats. Homer sat in the middle of the row, apparently in order to be able to support Mrs. Duncan when she came out of her trance. A Mrs. Brown, Mrs. Duncan's agent and travelling companion, was standing behind the back row of chairs when the light was dimmed. Mrs. Homer sat near the officers.

Almost at once the curtains were heard to part at the front of the cabinet, and a white figure appeared which Mrs. Brown, the Homers and other sitters familiar with the medium greeted as her spirit guide, Albert. He retired—I do not propose to describe the seance in great detail, for it is all set out in the evidence later in this volume—but announced from behind the curtains, which had closed again, that "I have here a lady who passed over with some trouble to the lower part of her body," and he asked that some member of the audience should "call her out."

At this Mrs. Homer prompted Lieutenant Worth to invite the spirit to come out. (The prosecution suggested at the trial that Albert's reference to the lady's abdominal complaint was meant to attract the attention of the sceptical Surgeon Lieutenant, and that Mrs. Homer, unaware that Worth had changed seats with him, was acting on a prearranged plan.) Thus encouraged, Worth asked the invisible spirit, "Who are you?"

But, since direct enquiry of this kind is uncongenial to Mrs. Duncan's spirit friends, Worth on Mrs. Homer's advice substituted for it the question, "Is it for me?"

Albert, it appears, can tell from the vibrations of enquirers' voices whether they are the persons whom the spirit wishes to meet.

"That's the voice," he replied.

Still prompted by Mrs. Homer, Worth said, "Will you come out, please?"

The curtains opened and a white figure appeared. Worth, for reasons best known to himself, asked it, "Are you my aunt?"

The form said, "Yes," and, being evidently a spirit of few words, retired into the cabinet again.

Then Albert announced the spirit of "a gentleman who passed with some trouble with his chest." After the usual formal question from Worth it appeared.

Worth asked, "Are you my uncle?" and received the same monosyllabic reply. Slightly more demonstrative than its predecessor, the spirit raised its hand to its forehead in a salute and retired.

Albert said, "I have here for the same gentleman his sister."

Now, while Worth might not be certain if any of his aunts were dead and remembered that two of his uncles were, he knew that he had only one sister, who was at that moment an ambulance-driver in London. So he objected, "I have only one sister, who is alive."

To this Albert replied, "Perhaps you don't understand, but she was premature."

Worth insisted that there were no premature children in his family, and Albert said, not unreasonably, "You can ask the question." (Whether or not Albert meant that the spirit should be asked, Worth waited till after the sitting and then asked his mother. He stated at the trial—what incidentally was not really admissible as evidence, being hearsay—that she assured him that she had had no premature children.)

After this Albert lost interest in Worth, and the later spirits which appeared from the cabinet were for other sitters. An account of these appears in the evidence given at the trial; indeed, no Spiritualist seance in history has ever before been so minutely described, a fact which in itself alone makes the trial noteworthy as a document.

After a time Albert made way for Mrs. Duncan's other control, the Scottish girl Peggy, who put in so unfortunate an appearance in Edinburgh in 1933. Peggy now offered to sing a song. 'Annie Laurie' was suggested, but she thought this too high for her and volunteered 'Loch Lomond' instead. Albert

then returned, and a cat was materialised for one of the sitters; at least there was a meow from the cabinet and a small white object appeared between the curtains a few feet from the ground. It was followed by a parrot which was recognised by one of the sitters as her "Dear old Bronco," and brought pleasant memories by saying "Pretty Polly!" just as in life. Next Albert produced an ectoplasmic rabbit out of the cabinet, much as unspiritual conjurors produce rabbits out of hats. This zoological interlude over, other human spirits appeared, including a policeman who went back into the cabinet to fetch his helmet. Then Mrs. Duncan stumbled out from the curtains waving her arms, and the sitting ended. A white light was put on, and she was taken into the other room to be re-dressed.

The Homers and Mrs. Brown asked Worth what he thought of the seance. Being by now rather suspicious, he remarked to Mrs. Homer that, every time a spirit form disappeared into the cabinet, there was a rustling noise—like cloth. Mrs. Homer explained that this must have been the 'psychic waves.' To Mrs. Brown the young man said ambiguously that he thought the seance very amazing. She agreed with him and produced for his edification four photographs which she said had been taken during one of Mrs. Duncan's seances and contained spirit 'extras' which were really ectoplasm.

These photographs completed Worth's disillusionment. He went to the Portsmouth police and thereafter acted with their knowledge and to a large extent under their instructions.

Thus, he attended a meeting at the Temple on the following Sunday. It was held in full light and Mrs. Duncan produced no ectoplasmic materialisations, though an invisible Albert uttered a sermon through her lips and she conversed with an equally invisible child named Audrey, who left her (so Mrs. Duncan said) to run to a gentleman in the back row. When this sitter pointed out that his dead daughter's name was Shirley, not Audrey—at the trial, by the way, he gave in evidence that Mrs. Duncan had materialised her for him at a seance in the previous week—Albert, through Mrs. Duncan, said, "I'm sorry. I made a mistake. I should have said Shirley; I got the name wrong."

Mrs. Brown too on this pleasant Sunday afternoon revealed herself as a medium, passing on spirit messages to various people and displaying a brooch which, she said, had just been given her by the spirits.

Worth, again consulting the police, booked two seats for a materialisation seance to be held on Wednesday, January 19, at the same place. This time his companion was a War Reserve policeman named Cross. There were about thirty sitters in three rows of seats—Mrs. Duncan's popularity had grown with the success of her earlier sittings—and Worth and Cross sat in the second row. After the usual preliminaries Mrs. Duncan went into her trance in the cabinet. Albert introduced himself and was succeeded at the opening in the curtains by a white figure, which he said was a woman and which Mrs. Brown said was carrying a baby. A sailor had already claimed the spirit as his mother and Albert had admitted the claim: the difficulty about the baby (who was the sailor himself) was got over by the spirit's explanation that she "did not take it with her."* Another spirit form succeeded this and, as a third emerged, Cross, the policeman, pushed over the chair in front of him and leaped for the curtains, clutching the spirit form. Worth switched on his torch. They saw Mrs. Duncan, who ought to have been reclining in trance on the chair inside the cabinet, standing barefoot in front of the curtains, trying to rid herself of a piece of flimsy white material. Cross, holding her with one hand, grabbed the cloth with the other but it was dragged through his fingers in the direction of the audience. Worth's torch was jerked down by a sitter, and in the darkness and confusion the material vanished. Somebody switched on the lights.

*This is oddly reminiscent of the old showman's joke in exhibiting "Oliver Cromwell's skull when a boy."

Cross asked Worth, "Did you get the cloth?"

"No," Worth replied. "It's gone into the audience."

Mrs. Duncan remarked, "Of course it's gone. It had to go somewhere," and hastily put on her shoes. She then sat down and started to scream for a doctor, while Worth blew a whistle to summon the police who, under Inspector Ford, were waiting outside.

The Inspector told everybody to remain seated while their names and addresses were taken. The room was searched in vain for the missing cloth, Christine Homer, Mrs. Homer's daughter, whose seat was one of those in the direction of which the material had vanished, demanded that she should be searched; other women in the audience also asked to be searched. Inspector Ford, however, for reasons at which, being a delicate-minded man, he only hinted in his evidence, chose not to have a personal search made. When he showed Mrs. Duncan the warrant for her arrest, she said, "I have nothing to worry about."

After she was taken away, the Inspector spoke to Mrs. Brown about the spirit photographs she had shown to Worth. She produced them from her handbag, insisting that they—and Mrs. Duncan—were genuine. Mrs. Homer consoled the sitters' with the words, "Never mind, friends. Jesus suffered like this." A police doctor saw Mrs. Duncan and satisfied himself that she was not suffering from shock as the result of her allegedly interrupted trance.

The Director of Public Prosecutions instructed Mr. John Maude, K.C.,* and Mr. Henry Elam,† both prominent members of the Criminal Bar, to draft an indictment of Mrs. Duncan and such of her associates as would *prima facie* appear to have committed offences. The first question which counsel had to consider was what charges to prefer. Usually a fraudulent medium—or, for that matter, a mere fortune-teller—is charged under the Vagrancy Act of 1824, section 4 of which lays down that 'Every person pretending or professing to tell fortunes, or using any subtle craft, means or device, by palmistry or otherwise, to deceive and impose on any of His Majesty's subjects . . . shall be deemed a rogue and vagabond,' liable as such to trial in a magistrate's court and, on conviction, to imprisonment with hard labour for a period not exceeding three months. But it seemed to those responsible for the prosecution that Mrs. Duncan's case was too serious to be dealt with summarily, and they considered what other charges were suitable.

Obtaining money by false pretences was an obvious choice; but certain technical difficulties arose, into which it is unnecessary to enter here in any detail. Let me just mention one. The prosecution would have had to satisfy the jury beyond all reasonable doubt that Worth parted with his money because of Mrs. Duncan's and her colleagues' specific pretence—false to their knowledge and made with intent to defraud—that she was in a position to materialise spirits. The defence might have retorted, "Not at all. The money passed merely as the price of admission to a seance at which anything or nothing might happen," and the jury might very well have felt in doubt whether the full offence had been made out. In that event Mrs. Duncan would have been gloriously acquitted, which was not at all the purpose of the prosecution.

Eventually somebody must have remembered the Witchcraft Act of 1735, of which the relevant words of the relevant sections 3 and 4 are that any person who may 'pretend to exercise or use any kind of witchcraft, sorcery, enchantment or conjuration,' shall be liable on conviction to a year's imprisonment.

It may, and it did, cause a shock that an almost forgotten statute of this kind should be dug out. Most people had never heard of it. On the other hand, one must remember that Spiritualism has grown enormously in favour

*Called to the Bar (Middle Temple) 1925; Treasury Counsel at Central Criminal Court, 1942-43; K.C. 1943; Recorder of Plymouth.

†Called (Inner Temple) 1927; Treasury Counsel at C.C.C., 1937; Recorder of Poole.

in recent years, when the bereavements of two World Wars have sent innumerable mourners to seek consolation at mediumistic seances: had such a state of things existed in previous centuries, doubtless the Witchcraft Act would more frequently have been invoked and its present use would not have come as a novelty. The prosecution, to be sure, did not leave out charges of false pretences; these composed, as will be seen, two counts of the indictment. In addition, the four prisoners—for it was decided that Mrs. Brown and the Homers should stand with Mrs. Duncan in the dock—were charged with conspiracy to contravene the Witchcraft Act.

Finally, in counts six and seven, they were all charged with the Common Law (i.e. traditional English Law) offence of 'effecting a public mischief.' This charge has chiefly been used in recent years to deal with those tiresome people who find pleasure in wasting the time of the police by reporting imaginary crimes; but, a few months before the Duncan trial, Mr. Christmas Humphreys, the son of the Judge and himself a barrister with a vast knowledge of criminal law and procedure, used the charge in indicting two London men who were said to have erected air-raid shelters with faulty materials. When timorous colleagues suggested that it might be undesirable to extend the scope of so vague a charge—lawyers like to be precise—it was forcibly argued by Mr. Humphreys that, far from extending its scope, its use in the shelter case was as precise as could be, since nothing could be a greater public mischief than negligently to endanger the lives of innocent citizens. But now the charge was brought in as what seemed a sort of makeweight against Mrs. Duncan and her fellow defendants, a net to catch them if they escaped conviction on the other counts. Nobody can deny that it is a grave 'public mischief' to defraud unhappy mourners seeking communication with those they have lost; at the same time both lawyers and laymen may hope that this wide charge may not be too often used in our courts.

So much then for the incidents which led to the four accused being charged, and for the charges themselves. Now for the actual trial, which began in Court 4 of the Old Bailey on Thursday, March 23, 1944, and lasted more than seven full days.

During that time the precincts of the Central Criminal Court were packed as never before since the outbreak of War. The Spiritualists rallied their forces to witness a trial from which they doubtless hoped much more than they feared. If the prosecution succeeded, Mrs. Duncan might have to endure a short martyrdom: but, if it failed, the boldest mediumistic claims would be vindicated, and scepticism be confounded. There was a queue of would-be listeners in the street outside the blitz-damaged building before each morning and afternoon session; the public gallery of the court was still closed, but the corridors were packed with enthusiasts, the sight of many of whom would have made a confidence trickster's mouth water. The defence of all four accused was entrusted to Mr. Loseby,* an experienced member of the Bar and, one heard, himself an ardent Spiritualist; he was assisted by Mr. Simpson Pedler.† It was known that the defence proposed to call a mass of evidence to prove that Mrs. Duncan had at all times—before the Portsmouth seances, during them and even after them—produced ectoplasmic phenomena which could be regarded only as proof positive of her personal and mediumistic integrity. The Judge was the Recorder of London, Sir Gerald Dodson.‡

The stage being set, the four prisoners, who were on bail, entered the dock softly encouraged by such of Mrs. Duncan's admirers as had managed to crowd into the court. Wearing a heavy fur coat, she was provided with a cup of water which she sipped throughout the trial. Mrs. Brown was smaller and

*Called (Gray's Inn) 1914.

†Called (Gray's Inn) 1921.

‡Called (Inner Temple) 1907; Treasury Counsel at Central Criminal Court, 1925-34; Recorder of Tenterden, 1932-4; Judge of Mayor's and City of London Court, 1934-7; appointed Recorder of London, 1937.

sharper in appearance; the Homers seemed insignificant by comparison with them. The Clerk of the Court read the indictment; the four in turn pleaded Not Guilty, and the jury was sworn. It will be noted—the indictment is set out in full on a later page—that they were charged mainly in connection with three materialisation seances: the two which Worth attended on January 14 and 19, and a third on January 17 about which other witnesses were to speak.

Mr. Maude opened the case for the prosecution. Since his speech appears in full later I need not refer to it here, especially since I have already outlined the main events which it recapitulated. Mr. Maude was engaged, simultaneously with this case, in the trial for murder of a man named Loughrans in an adjoining court; whereas in Court 4 he was prosecuting, in Court 1 he was defending. With the assistance of junior counsel he managed to divide his time between the two courts, and it is noteworthy that he was successful in both cases. When he finished his opening speech, his junior, Mr. Elam, called the first and principal prosecution witness, Lieutenant Worth, who told the story of what he had seen (and failed to see) and of his conversations with the prisoners. His evidence will be found in its proper place in this book, and it is perhaps right that I should state here that I have thought it best, even at the risk of boring superficial readers, to reproduce the whole of the trial except for one or two short passages concerned not with the main issue but with such irrelevant matters as the time for the next session. Since it is one of the objects of this series to demonstrate the workings of the judicial machine in this country, it would not be right to skip or compress relevant passages merely because they are less exciting than others; no reader can appreciate, for example, the nuances of examination and cross-examination if a witness's reply, eager or reluctant, are set out as if he had uttered them spontaneously and without being questioned at all.

I have said before that no seances in all the hundred years' history of Spiritualism have ever been so minutely described as these at Portsmouth. Worth's evidence was only the framework within which later witnesses were to lay their contributions before the jury. Mr. Loseby began to cross-examine him by reminding him that they had already crossed swords before the magistrates in the preliminary proceedings at Portsmouth: then Mr. Loseby sought, as was his duty, to suggest that Worth was not as straightforward and guileless as the prosecution suggested. For a time they wrangled over the word 'spy' and whether, when Worth told Mrs. Brown that the first seance was 'amazing,' he meant this seriously. Worth had, of course, to admit that he lied when he told her that his doctor friend had been converted by the seance. Then Mr. Loseby asked him how it happened that—if, as Worth said, he had gone to sit with Mrs. Duncan as a genuine enquirer—bets were being made at Oxford a fortnight previously that a summons would soon be taken out by the police against her. Worth said he knew nothing about this, and, though further references were made by Mr. Loseby to the matter throughout the trial, no evidence was ever called showing that such bets had been made or that Worth had made up his mind beforehand that Mrs. Duncan was a cheat.

Then he was asked if Portsmouth's interest in Spiritualism had not been greatly stimulated by a recent speech in which Air Marshal Lord Dowding told a local audience that he was still in touch with many airmen who had been killed under his command. Apparently, just as many other senior officers tend to 'get religion' when they retire, Spiritualism had got Lord Dowding. Next Mr. Loseby put to the witness the main theories of the Spiritualists' creed; in particular, Worth was asked if he was not aware that mediums in trance have to be protected from sudden contact with bright light. Worth agreed that he had been told this but, in answer to another question, said he was unaware that a materialisation medium had lately been blinded by lights being turned on him: we shall hear of this anonymous victim again. Mr. Loseby went on to suggest that Worth's memory, as well as his veracity, was not to



THE "MASTER TEMPLE PSYCHIC CENTRE," PORTSMOUTH



MR. AND MRS. HOMER

be trusted, and at one time counsel and witness became so heated that the Recorder asked them not to raise their voices.

Worth was asked why, before calling on the police and disturbing the final seance, he had not consulted more experienced sitters, who could have explained matters to him. The witness replied that he was quite satisfied with his own observation. That Mrs. Duncan was 'playing bogey-bogey with a sheet over her head?' Mr. Loseby asked sarcastically.

"Something along those lines," said Worth.

The cross-examination went on for a long time; it cannot be said that Mr. Loseby shook the witness—nor can he seriously have hoped to do so—but his questions showed what his main defence was to be, namely, that Mrs. Duncan had produced at the seances genuine materialisations which had been identified by a number of sitters, and that Worth and the other prosecution witnesses were both biased and inaccurate. The first day's session ended at last and the prisoners were allowed out again on bail; they left the court surrounded by murmurous sympathisers.

The next witness, called at the beginning of the second day, was Worth's doctor friend, Fowler. He corroborated Worth's account of the first seance; Mr. Loseby cross-examined him briefly and the Recorder also asked him a number of questions. Perhaps the most important answer he gave was that, whenever the curtains were pulled apart, a large spirit figure was seen, but, if they remained closed, the apparitions were slim. This was, of course, consistent with the prosecution theory that the figures were produced by a piece of white material draped over Mrs. Duncan's massive form, with the dark curtains forming their outline.

Then a police-officer described how spirit-photographs, similar to those produced by Mrs. Brown, could be faked. I may remark that it is more than a little surprising that anybody with Mrs. Duncan's experience or Mrs. Brown's shrewdness should have attempted at the present day to make converts to Spiritualism with such material. 'Spirit photography' has been exposed so very often in the past seventy years, and so many people have been convicted of fraud for producing them, that one would have thought the risk of such claims to have outweighed any possible value they might have for Mrs. Duncan. This police witness said he had reproduced the photographs in question by normal means, and various exhibits were handed to the jury for comparison.*

The next witness was a dockyard labourer named Burrell, himself a medium but not a materialisation medium. He described the second seance in respect of which the prisoners were charged, the one on January 17 at which Worth was not present. His view of the materialisations was that they were a lot of talking and singing "mixed with a lot of white cloth, as if I dressed up like a fairy in Christmas pantomime and went on like that. You could see no face." He spoke also of a conversation he had with Mrs. Homer after the seance.

She said to him, "Now, Mr. Burrell, after all these years you have been a Spiritualist, and you are not convinced."

He replied, "No, I'm not convinced at all."

"Well," she went on, "there are all these poor people here who don't understand and they are convinced."

Burrell answered caustically, "Well, that's why they are convinced, because they don't understand."

He said he went again on the 18th and saw a budgerigar materialise; at least he heard sitters say that they saw it but, "I couldn't see no bird."

Mr. Loseby suggested to him that he was disgruntled—presumably from professional jealousy of Mrs. Duncan's gifts—but it appeared, on the contrary, that Burrell had hoped for even greater marvels from her; "I expected the

*See illustrations.

materialisations about which I had read: something where there was no curtain, where there was no darkness, where all was light, and I could have seen those who had passed over, like I can see you at the moment."

Burrell was followed by some other sitters and then by Cross, the War Reserve policeman, who told about clutching Mrs. Duncan and the elusive cloth and was cross-examined vigorously by Mr. Loseby. He denied that he was shaking with fright or that he swung Mrs. Duncan out of the cabinet into a chair outside. Since he was only about half her size, his denial carried conviction and Mr. Maude's enquiry in re-examination, if he had any practice as a weight lifter, was almost superfluous. The case for the prosecution, and the second day of the trial, ended with the evidence of Inspector Ford, who made the arrests.

The third day began with Mr. Loseby's opening speech for the defence. He criticised at length the charges and the evidence against his clients, and announced that he proposed to call 'skilled investigators, purely scientific in their methods,' to show that Mrs. Duncan was a genuine materialisation medium. Some of these investigators, he added, would state that, when a light was flashed on her in trance at a seance after her arrest, she had 'gone down like a shot rabbit' and 'a plain burn-mark was visible on her forehead'—presumably from the returning ectoplasm. (A glance at the dock, however, showed that Mrs. Duncan's forehead was now seemingly unmarked, only two weeks later.) At the end of his address Mr. Loseby applied to the Recorder to be allowed to call the prisoners out of the order in which they were indicted; the Recorder had no objection but Mr. Maude, as he was entitled to do, resisted the application. Having lost this point, Mr. Loseby made the remarkable announcement that, while he did not propose to call Mrs. Duncan to give evidence—because, as he had already explained, she was in trance during the seances and so knew nothing of what happened—he wished to 'proffer' her later on to the court for a test seance. The Recorder replied that, if she was to give evidence at all, she must give it now; whereupon Mr. Loseby stated that of all the four prisoners he proposed to put only Homer in the box.

It is well known that until 1898 prisoners were not allowed to give evidence on oath. They were then permitted to do so in order that they might no longer be at a disadvantage with the prosecution; but, as every lawyer knows, what was meant as a privilege has turned out in many cases to be just the opposite. Nowadays, when a prisoner elects to give evidence on oath and is cross-examined, he often makes the case stronger against himself, while, if he does not go into the witness-box, the jury tends to draw an inference unfavourable to him.* So, while Mr. Loseby's explanation was plausible enough as regards Mrs. Duncan (though doubtless the prosecution would have had a number of questions to ask her in cross-examination about matters which occurred when she was not supposed to be in trance), there was no such reason for not calling Mrs. Brown and Mrs. Homer.

Homer's evidence did not take the case much farther. He said he was a Spiritualist and believed in Mrs. Duncan's powers and good faith; he made no profit from her seances, for, after paying her fees, he sent the rest of the takings to charities and Spiritualist defence funds. He was unable to produce receipts for these amounts while he was in the box, but they were handed in next day and appeared to confirm his story. Dealing with the incidents at the seances he claimed to have seen clearly the various spirits which had materialised. In cross-examination, Mr. Maude asked him if he knew that Mrs. Duncan had been investigated in 1931 by certain Spiritualists, who had reported most unfavourably on her. Homer denied all knowledge of this. On the whole, the pale, insignificant, bespectacled man did not make a bad

*In the good old days experienced defending counsel could beat their breasts and declaim, "Gentlemen of the jury, if only my client could go into the box and tell you what really happened, you would not for one moment longer doubt his innocence." Not so to-day!

showing; he was evidently very credulous, but this was not the charge against him.

When Homer returned to the dock, Mr. Loseby again 'proffered' Mrs. Duncan to the court for an experimental seance with the jury as sitters. The Recorder said that he could not allow this: as he later explained in his summing-up, such a demonstration "might operate unfairly against this woman because, supposing the spirit, if such a thing there be, was not mindful to come to her assistance on this occasion, then the verdict would have to be against her."

So Mr. Loseby called the first of a long stream of witnesses, a white-haired bright-eyed Wing Commander Mackie. Mr. Loseby asked him if he had been an 'investigator.' His reply is interesting, because so typical of the people whom Mr. Loseby in his opening speech had described as 'skilled investigators, purely scientific in their methods.' Mackie said, "I have, for a number of years. My wife is a Spiritualist and in ordinary conversations in the home I hear these things and I am naturally interested, and when I get an opportunity of finding out anything I like to do it." Readers of the evidence in this book will note that few of the other so-called investigators claimed more. The Wing Commander described various materialisations produced by Mrs. Duncan from 1933 which he had recognized, and he was definite about the parrot and the other spirit-forms at Portsmouth.

A humourless man, he suddenly announced that, "A man knows his mother. I have the advantage also of knowing my father."

"Well, that's something," agreed the Recorder.

Two witnesses who followed Mackie testified that, when Mrs. Duncan was seized by Cross, the ectoplasm vanished into the floor and that she was then inside, not outside, the cabinet. On the next day of the trial a long succession of Spiritualists gave evidence on much the same lines. I do not propose even to summarise here what they said; it will be found in its proper place in this book, and should be read by everybody who wishes to understand the Spiritualist temperament. They were difficult witnesses to cross-examine, because it was the suggestion of the prosecution that they were credulous people who believed they saw what they were told to see; they could not be expected to contradict themselves, but they certainly contradicted each other. Mr. Maude and Mr. Elam plied them with many questions, the variety and ingenuity of which the readers will judge, and, if these witnesses did the defence no harm, they certainly did it little good. The more they elaborated the wonders which Mrs. Duncan produced for them, the more the jury might infer that they were just the sort of people who could easily be duped by a fraudulent medium. Some of them spoke of other seances with Mrs. Duncan on previous occasions. Strictly, this evidence was inadmissible since it was not directly relevant to the incidents about which the charges were brought; however, the prosecution did not object and the Recorder allowed it to be given. This concession was unfortunate in one respect, for, when at the end of the proceedings for the day, already the fourth of the trial, the Recorder asked Mr. Loseby how many more witnesses he proposed to call, the latter replied instantly that he had forty or fifty in mind. In pregnant silence, the Recorder pushed back his chair and left the court.

The first witness next morning was Mr. Kirkby, a retired business-man, who announced that everybody has a spirit guide, a statement which caused the Recorder to express regret that he had not one to help him find his way through this evidence. The witness's guide, it seemed, is a Chinaman: this chink of light in the seance darkness has "a long moustache, eighteen inches long, and his pigtail swings round." Mr. Kirkby told remarkable stories of Mrs. Duncan's feats in the past and rejected with scorn the suggestion of the 1931 investigators that the figures were made up of butter muslin swallowed by her before a seance and there regurgitated by her. He admitted, however, that fraudulent mediums

do exist: in twenty years he had met four of them, and his psychic instincts "had warned him against them."

Then a retired Indian Army officer was called, the husband of a previous witness and the father of the invisible Audrey-Shirley child already mentioned. He was followed by a former cinema proprietor who had seen Mrs. Duncan produce marvels in Edinburgh and Preston. This witness was asked if the phenomena could have been faked with butter muslin, a length of which was produced in Court; not unnaturally he, like the other defence witnesses to whom the suggestion was put, scornfully rejected it. Mrs. Blackwell, the president of a Spiritualist society, said she had sat with Mrs. Duncan on "very, very many occasions" when innumerable materialisations had appeared. Only once, she said, had a spirit form not been identified by somebody in the audience.

After Mrs. Blackwell came a Mrs. Bailey, a medium, who went back to 1932. Mr. Loseby asked her if she had attended a special seance with Mrs. Duncan, on March 15, 1944, which was two months after the Portsmouth incident and within a fortnight of the trial. She said she had, and the other sitters included Mr. Hannen Swaffer, the journalist, and Mr. McIndoe, Mrs. Duncan's constant supporter.

"Tell us what the guide said," Mr. Loseby put to her.

She replied, "He said in a rather humorous way, 'We have heard about the sheet, of the ectoplasm,' and he showed us immediately a whole lot of ectoplasm, and he said, 'You have heard a lot of an elusive sheet recently.' Those were, I think, his very words."

The Recorder looked up from his notebook. "Do you mean there was a reference to this case?" he asked the witness.

And, learning that she was speaking of a seance referred to by Mr. Loseby in his opening speech, held by Mrs. Duncan's friends for the express purpose of repudiating her alleged frauds at Portsmouth and, incidentally, of showing the dangerous effects of flashing a light on a medium, the Recorder ruled that such evidence must not be given. Mr. Loseby explained that he wished to call a large number of witnesses about this seance, but even this prospect did not shake the Recorder's refusal. "I think that any manifestation after the date of this prosecution," he told the jury, "would be so under a cloud as not to be helpful to this court at all."

The resulting dislocation of Mr. Loseby's list of witnesses caused a short delay. Even so, the first one called after the resumption of the trial was the Rev. Maurice Elliott, who had come chiefly to speak of the forbidden topic. After an attempt had been made, in vain, to introduce this evidence, he made way for the defence's star witness, Mr. Hannen Swaffer.

Mr. Swaffer is no respecter of persons or of institutions. He gabbled through the oath at such a rate that the Recorder ordered him to be sworn again; then he spoke somewhat pontifically of his experiences with Mrs. Duncan and other materialisation mediums. He managed also to slip in a reference to the test seance before the Recorder could stop him; he told the jury that a medium, unnamed, was blinded for life in 1932 through having a light shone on him (which being hearsay, was inadmissible); he tried to produce an inadmissible medical certificate that Mrs. Duncan's stomach was normal, as a proof that the regurgitation theory was nonsense; he flourished a sheaf of X-ray photographs, equally inadmissible, for the same purpose; and at one stage he eagerly asked permission to be allowed to try to swallow the length of butter muslin in court. Two incidents, however, deprived his performance of its full effect. First, being asked by Mr. Loseby if he had been a dramatic critic, he replied, "Unfortunately, yes," upon which the long-suffering Recorder (who is, incidentally, joint author of the successful musical play, *The Rebel Maid*) enquired with polite interest, "Unfortunately for whom?" Secondly, Mr. Swaffer announced that he himself had a spirit guide, an Egyptian named Darak Ahmed. One formed the opinion, looking at the jury, that they tended

(perhaps from feelings of inferiority) to discount the evidence of witnesses who enjoyed such privileges.

After this lively interlude, a Mrs. McNeill spoke of Mrs. Duncan's powers from 1931, and a Mr. Abdy Collins, a retired Indian Civil Servant, gave similar evidence. He, by the way, admitted in cross-examination that he had once unmasked a fraudulent materialisation medium; according to what he said, the medium on that occasion did very much what Mrs. Duncan was now accused of doing: "She was undoubtedly impersonating a figure. Although she retired behind the curtain after being searched, she must have managed to get out of her seat and to have impersonated a figure." Two more witnesses were called, rather belatedly, to describe their experiences at the Portsmouth seances, and so the fifth day of the trial ended.

Next morning began with the welcome news from Mr. Loseby that he hoped to finish his evidence this day. A garrulous witness, Mr. Dodd, again took the story of Mrs. Duncan back to 1932, including seances at which Mary Queen of Scots (a familiar apparition, by the way, in mediumistic records) seems to have materialised. When Mr. Elam rose to cross-examine—"rose" is certainly the right word, for he is over 6ft. 6in. in height—there came a moment for which many people had been waiting. They knew, though the jury did not, of Mrs. Duncan's conviction in Edinburgh in 1933. Ordinarily, a previous conviction is not admissible in evidence, because it always affects a jury's mind even though, in theory, the fact that a prisoner has been formerly convicted does not show that he is guilty on the present occasion; but, when a defendant 'puts his character in issue'—that is to say, when he affirms either through his own mouth or his counsel's or his witnesses' that he is person of respectable antecedents—it is open to the prosecution to show that this is untrue. So the prosecution now, faced with a mass of evidence tending to show that Mrs. Duncan had been a genuine materialisation medium for many years, felt justified in mentioning her Edinburgh conviction. The matter was discussed in the absence of the jury and, despite Mr. Loseby's protests, the Recorder unhesitatingly permitted the conviction to be disclosed. When the jury returned, Mr. Dodd admitted that he knew all about the conviction, though he said he had never accepted it as just; he agreed that Mrs. Duncan had been found guilty of impersonating the ectoplasmic Peggy with the aid of a piece of stockinet.

The next witness, a Scottish doctor, agreed with Mr. Loseby that the notion that Mrs. Duncan had impersonated the spirit forms at Portsmouth was "becoming ludicrous"; then came a 'psychic healer' from Baker Street who had brought a specimen mediums' cabinet in his pocket but was discouraged from exhibiting it. A Mrs. Kerb followed whose daughter had been materialised for her by Mrs. Duncan, a leg injured in life now being cured. Peggy, the spirit guide, Mrs. Kerb said, had on that occasion sung 'Au clair de la lune' in French; the underlying suggestion, of course, was that Mrs. Duncan could not have done this. A retired sanitary inspector from Kendal tried hard, but without success, to pass the Recorder a cutting from a Spiritualist weekly in which he had set out some of his more remarkable experiences with Mrs. Duncan. He was so enthusiastic that he sought, as several of his predecessors had done, to use the witness-box as a pulpit. "Now, this is very evidential, and I want you to listen, everybody!" he exclaimed at one point.

An electrical draughtsman from Blackpool followed with more reminiscences, and after him came Sir James Harris, J.P., an Edinburgh journalist who had met the spirit of Conan Doyle at one of Mrs. Duncan's seances. Mr. Elam, whose luck was certainly in, discovered that this witness had been present when Mrs. Duncan was tried in 1933. Like Mr. Dodd, he utterly disagreed with the verdict but he remembered enough of the evidence to make the parallel with some features of the present trial strangely interesting, though as he said, "It seems to me too ridiculous to suggest that a circle of people were more or

less under the misapprehension that it was a small child, if it was a little rag being held by the finger and thumb of the medium."

There came next an elderly Scot named Duncan, no relation of the principal accused, who claimed to have seen her materialisations in a bright light. Otherwise, the only novelty in his evidence was when Mr. Elam, unwearied in seeking new approaches for cross-examination, enquired whether the witness had ever seen a spirit form materialise whom he did not wish to see. The notion that one's enemies may suddenly emerge from the spirit world opens up a vista of discomfort for sitters at seances. Then we had a Scottish solicitor who spoke of sitting with Mrs. Duncan since 1940, and a Mrs. Hurd, of Leeds, who had seen among other spirit forms that of a little girl who sang 'Jesus Wants me for a Sunbeam.' Another psychic healer from Glasgow described the materialisation of her father through Mrs. Duncan in 1940, and explained the difference between 'psychic healing,' which is the laying on of hands, and Christian Science faith-healing. Mr. Gerrard, a Spiritualist plumber from Chester, surprised Mr. Loseby by modestly refusing the title of 'investigator,' but redeemed himself by saying that he had attended over forty seances with Mrs. Duncan and seen as many as twenty materialisations at a single sitting.

Mrs. Fry, of Holland Park, told the astonished court that a still-born son of hers had been materialised by Mrs. Duncan. "Albert said he could not give him a face. He came and opened his arms to me but he had no face . . . He would have been twenty-four now if he had lived . . . He was like all the others, because he is grown-up now, except that they could not give him a face." A Mrs. Dodds spoke of thirty seances with Mrs. Duncan, and a Salford corporation labourer had seen her materialise his father, who had died with only one leg but now appeared with two. When the court prepared to rise at the end of the sixth long day of the hearing, Mr. Loseby told the Recorder that, though he had many other witnesses in attendance who wished to testify to their experiences with Mrs. Duncan, he thought it unnecessary to call any more. The Recorder thought so too, and so the case for the defence closed.

Next morning the Recorder asked the jury if they wished Mrs. Duncan to give a demonstration. They said they did not, and so the stage was left for the closing speeches of counsel. Both sides agreed with the Recorder that, to simplify the issue, the jury should be asked to consider only the first count of the indictment, namely, the alleged conspiracy to offend against the Witchcraft Act. Mr. Loseby spoke first and recapitulated forcibly but at considerable length the arguments and evidence which he had been able to present. He was gently pulled up when he referred to what Lord Dowding was supposed to have said at Portsmouth, and there was another intervention from the Bench when he seemed to be suggesting that the prosecution was aimed against Spiritualists as a whole. When he finished—his speech will be found in full later on—Mr. Maude replied briefly for the prosecution. Then, after the luncheon adjournment, the Recorder summed up.

Readers, who will have it before them, may well think that his summing-up was a brilliantly concise epitome of the matters to be tried and of the evidence which for so many days had been called on both sides. Of the defence the Recorder said at one point, "Perhaps it has rather defeated itself by being so prolix and multiplied; perhaps a few simple instances would have been much better . . . However, that is the policy which the defence have adopted, and we must take the case as we find it." It may be mentioned in passing that, when the Recorder was summarising Worth's evidence in regard to Mrs. Homer, she was heard to murmur denials. The Recorder paused to comment, "From the noises, somewhat suppressed, which Mrs. Homer is now making, I gather that she rather disputes what Lieutenant Worth has said . . . It is not very much good her emitting noises of a dissentient nature if she does not go into the witness-box when she has the opportunity, and deal with it upon oath."

The jury retired at half-past four that Friday afternoon and came back in less than half an hour with a verdict of Guilty against all four prisoners. The Chief Constable of Portsmouth was called to give their records. The Homers, he said, were people of good character hitherto; Mrs. Brown had two convictions against her for shop-lifting; and of Mrs. Duncan he spoke severely. Not only was her Edinburgh conviction against her but, he said, she had been reported to the police for announcing (presumably through Albert) the loss of a warship before the news should have been made public; he could find no redeeming feature in her character.

Sentence was deferred till the following Monday, and for the first time the prisoners had to remain in custody while their sorrowing sympathisers dispersed.

The Recorder passed sentence when the four next appeared before him. "As the jury have found this to be a case of plain dishonesty," he said, "I can make no distinction between the accused and others who are similarly convicted." Mrs. Duncan had made most money out of the frauds, and she must go to prison for nine months. Mrs. Brown had aggravated her offence by the production of the spirit photographs, and she would be imprisoned for four months. The Homers were more fortunate. It was perhaps their enthusiasm, said the Recorder, which had caused them to close their eyes to what was going on; he would give them the benefit of the doubt, and bind them over to be of good behaviour, which meant that, provided they did not offend again, they would not be punished for their part in Mrs. Duncan's exploits. I have little doubt that the fact that they had handed to charity all, or most, of the profits of the seances greatly assisted them at this moment.

And so the Old Bailey proceedings ended. Mrs. Duncan and Mrs. Brown were removed to Holloway Prison, and the Homers went back to their shop in Portsmouth.

Notice of appeal was given at once on behalf of all four. The appeals were heard ten weeks later by the Court of Criminal Appeal, the delay being largely due to the necessity of transcribing the voluminous record of the trial. Indeed, by the time her appeal was heard, Mrs. Brown had already served her sentence, less the customary remission for good conduct. The four appellants took their place in the dock and it was noticed that Mrs. Duncan, some of whose more enthusiastic supporters had woefully prophesied that imprisonment would kill her, was looking rather better in health than at the Old Bailey. Mr. Loseby addressed the court. I have not included his speech in this book, because its main features are set out in the judgment read by Lord Caldecote, the Lord Chief Justice, which will be found on a later page. The appeals failed on all grounds, and Mrs. Duncan returned to Holloway for another three months. Mrs. Brown was forthwith released.

So ended one of the strangest trials ever to take place in modern England. There can be no doubt whatever that the jury had ample evidence on which to find that Mrs. Duncan's materialisations were bogus. Mrs. Brown's complicity cannot be doubted. It is difficult too to see that the jury could have absolved Mrs. Homer entirely, especially after she failed to enter the witness-box to face cross-examination; but I am not quite so sure about her husband. If may be that, if he had not thrown in his lot with the other defendants but had claimed to have acted throughout in good faith and without any knowledge of the trickery that was going on, the jury might possibly have acquitted him. However, he made his own decision and he had to take the consequences—light enough, fortunately, in his case.

There was a sequel to the Duncan case a few months later, in September, 1944, when in the same court at the Old Bailey and before the same Judge,

and with the prosecution in the hands of Mr. Elam, Jane Rebecca Yorke, a crippled widow of seventy-two, was charged under the Witchcraft Act in consequence of seances she had held in her house at Forest Gate. In this case there was no question of materialisations; for the most part Mrs. Yorke had done what thousands of other Spiritualist mediums do every day throughout the world: she purported to transmit spirit messages when in trance. Among the spirits, by the way, were those of Queen Victoria and the ubiquitous Conan Doyle, and one of her guides, a Zulu chief, had the endearing habit of yelling, "Umba, umba, umba!" at the sitters. Where Mrs. Yorke went too far was, first, in screwing up her face so that, she claimed, it transformed itself into Queen Victoria's, and, secondly, in the recklessness of her spirit communications. For instance, she brought messages to a policewoman from the latter's deceased husband, and to a police sergeant from his Uncle Charles "who still has his mutton-chop whiskers and is very proud of them." The policewoman had never married, and the sergeant had no Uncle Charles, not even a clean-shaven one. Mrs. Yorke's defence was that, being in trance, she did not know what she was saying; the spirits were speaking through her. She was convicted of deliberate deceit, and the Recorder bound her over for three years, on condition that she abandoned her seances. It is clear that she was much nearer than Mrs. Duncan to the borderline between conscious fraud and self-deceiving hallucination; Mrs. Duncan could not possibly have practised her trickery without calculated deliberation, but Mrs. Yorke, except perhaps for her silly facial impersonations, does not seem to differ much from the ordinary Spiritualist medium. Of her conviction, rather than that of Mrs. Duncan, it is possibly open to Spiritualists to complain that, whatever a Judge may think and a jury be told, their sect and its beliefs and practices are really being persecuted. Whether this is a good or bad thing for society generally is quite another matter.

There is one point which I have left to the last. How did Mrs. Duncan produce her materialisations? Or, to be more precise, how did she obtain the butter muslin or cheesecloth with which, aided by the curtains and a certain skill in changing her voice, she portrayed spirits of different sizes, ages and sex? Some fraudulent mediums in the past are known to have concealed the 'ectoplasm' in various parts of their bodies; the argument that this would make it unfit for use may be met with the suggestion that a dampproof cover can be employed. The regurgitation theory does not seem to fit the present case, for reasons which will be found in parts of the evidence. If the search of Mrs. Duncan's clothing and her hair was adequate—and the risk of detection must have been considerable—other not uncommon mediumistic devices may be discarded as explanations. Sometimes hollow parts of the chair in the cabinet or other furniture have been used to conceal the cloth; so have the linings of curtains and so on: but at the Portsmouth seances there must always have been a real danger of such simple methods being exposed. My own theory, for what it is worth, is that the cloth was handed to her by a confederate in the audience when Mrs. Duncan entered the cabinet and professed to go into trance, and was recovered from her by the same person at the end of the sitting.

It may be argued that this was impossible because the red light was on all the time, but it is not generally known that the use of a faint red light permits the most astounding trickery. When we remember that the red lamp at the Portsmouth seances was of a very low wattage and was further obscured by a red silk handkerchief—so much so that, as certain witnesses said, they could barely distinguish the presence of people only two chairs away from them*—there can have been little to prevent a confederate from slipping round the rows of chairs to the cabinet, handing the cloth to Mrs. Duncan and, at the end

*The police calculated that the lighting at the seance was equivalent only to that of a red bulb of approximately 5 watts; and it was placed at the farther end of the room from the cabinet.

of the seance, taking it back from her. True, when the lights went up and the police entered on January 19, nobody seems to have noticed that any of the sitters was out of place; but in the confusion the confederate, if one there was, might easily have slipped back to his or her original position.

In this connection I recall a statement by Mrs. Harris, one of the prosecution witnesses, who said that, after the collapse of that seance and the unexplained disappearance of the cloth, Mrs. Brown asked Homer *to tell his daughter not to say anything*. Did Mrs. Brown suspect that the young woman had noticed something?

CENTRAL CRIMINAL COURT.

OLD BAILEY, E.C.4.

Before
THE RECORDER OF LONDON (SIR GERALD DODSON)

R E X

v.

HELEN DUNCAN,
ERNEST EDWARD HARTLAND HOMER,
ELIZABETH ANNE JONES (HOMER),
AND
FRANCES BROWN.

MR. JOHN MAUDE, K.C., and MR. HENRY ELAM appeared
on behalf of the Prosecution.

MR. C. E. LOSEBY and MR. J. SIMPSON PEDLER appeared on
behalf of the Defence.

FIRST DAY.—THURSDAY, 23RD MARCH, 1944.

PLEA

THE CLERK OF THE COURT: Helen Duncan, Ernest Edward Hartland Homer, Elizabeth Anne Jones, and Frances Brown, you four are charged upon an indictment which contains seven counts. In the *first count* that between the 1st December, 1943, and the 19th January, 1944, you conspired together and with other persons unknown to pretend to exercise or use a kind of conjuration, to wit, that through the agency of the said Helen Duncan spirits of deceased persons should appear to be present in fact in such place as the said Helen Duncan was then in, and that the said spirits were communicating with living persons then and there present, contrary to section 4 of The Witchcraft Act, 1735. In the *second count* you are all four charged that on the 19th January of this year you pretended to exercise or use a kind of conjuration, namely, that spirits of deceased persons should be present in fact in the place where Helen Duncan then was, contrary to section 4 of The Witchcraft Act, 1735. In the *third count* you are charged that upon the same day, 19th January of this year, you with intent to defraud caused Stanley Raymond Worth to pay 25s. to Ernest Homer (that is, the said Ernest Edward Hartland Homer) for the use or benefit of yourselves by false pretences, the pretence being that you were then in a position to bring about the appearance of the spirits of deceased persons and that you then bona fide intended so to do without trickery. In the *fourth count* you are charged with a similar offence upon the 19th January of this year in respect of causing Bessie Lock to pay 7s. to Ernest Homer for the use or benefit of yourselves upon the same false pretences with intent to defraud. In the *last three counts* you are charged with effecting a public mischief, in each count upon the following dates respectively, namely, the 14th day of January, the 17th day of January, and the 19th day of January of this year, the particulars being that you effected that public mischief by holding a meeting to which His Majesty's liege subjects were admitted on payment, and at which meeting the said Helen Duncan professed that the spirit of a deceased person was in fact present and visible

through her agency. Those particulars are the same in each of those last three counts.

Helen Duncan, are you guilty or not guilty?

PRISONER DUNCAN: Not guilty.

THE CLERK OF THE COURT: Ernest Edward Hartland Homer?

PRISONER HOMER: Not guilty.

THE CLERK OF THE COURT: Elizabeth Anne Jones?

PRISONER JONES: Not guilty.

THE CLERK OF THE COURT: Frances Brown?

PRISONER BROWN: Not guilty.

(Jury duly sworn.)

THE CLERK OF THE COURT: Members of the jury, the prisoners at the bar, Helen Duncan, Ernest Edward Hartland Homer, Elizabeth Anne Jones and Frances Brown, are charged upon an indictment which contains seven counts. . . . To this indictment they have severally pleaded not guilty; and it is your charge to say, having heard the evidence, whether they or any of them be guilty or not guilty.

MR. MAUDE: May it please your Lordship, members of the jury: I appear with my learned friend Mr. Elam to prosecute these four persons. We appear for the Crown, and my learned friends Mr. Loseby and Mr. Simpson Pedler appear together for all four prisoners. I daresay you noticed that when the indictment was read out the Witchcraft Act was mentioned; you may have heard that. I want to make it abundantly clear at the very commencement of this prosecution that this is in no way connected with witchcraft; it is in no way aimed at the honest beliefs, whatever they may be, of any man or woman. What it is aimed at is something quite different. It is aimed at just ordinary common fraud.

In the first two counts of this indictment you will find that the Witchcraft Act has been used; it is an old Act, it is two hundred years old, a little more, but, although sometimes the law is thought to be foolish, sometimes it is not quite such an ass as everybody is invited to think, and in this particular case the Act has remained in the Statute Book untouched since the reign of George II, and you may think for a very good reason indeed. In olden days, that is to say, in the times of our forefathers, yours and mine, in the reign, say, of James I, it was almost a popular matter to chase poor deluded creatures who were thought to be witches, or indeed sometimes may themselves have believed themselves to be witches, and the mass of the public believed in that sort of thing being possible. You will remember that by the time of James I people had got a bit sceptical about it; even Shakespeare mocked at it when he made Hotspur challenge Owen Glendower to call up spirits, but witchcraft was not the only means known in those times of playing upon the imagination of the public. There was sorcery, enchantment, spells, and one particular thing which was called conjuration, that is to say, conjuring up spirits: but times changed and our forefathers began to think it was all nonsense, and that it was ridiculous to prosecute people for practising something which was utterly impossible, and, when the reign of George II was reached, the law was altered to say that people were not to be prosecuted for witchcraft. But that, of course you may think, would not have been satisfactory, as indeed Parliament thought, because you would then have given rein to a lot of tiresome people, possibly—or they might have been very tiresome if there were only a few of them—who, although they could not do anything like that, pretended that they could do something like that, pretended that they could turn a poor village idiot into an animal or something like that when they could not. Therefore the Act of 1736 says this: "From and after the 24th day of June no prosecution, suit or proceedings shall be commenced or

carried on against any person or persons for witchcraft, sorcery, enchantment or conjuration in any court whatsoever in Great Britain"; so that stopped that, and everybody thought that that had been packed up. The Act also says: "And for the more effectual preventing and punishing any pretences to such arts as are before mentioned . . . being lawfully convicted on indictment, shall, for every such offence suffer imprisonment"—that, of course, means 'may'. It would be a matter in the discretion of the judge; it does not mean that they have to go to prison. So we reach a position in 1735 which would no doubt be welcomed by any person who may call himself to-day a Spiritualist; for those persons, in whatever numbers they are who hold those beliefs, would no doubt be the warmest supporters of any measure directed by the State against the fraudulent and deplorable activities of any persons who would be pretending anything such as the calling back of the dead into a room so that they shall be visible and audible.

The other matters in this indictment that do not concern the Witchcraft Act, are allegations that these persons caused money to be paid by false pretences, that is to say, the false pretence that I have already indicated to you and which you have heard in the indictment: that Helen Duncan was in a position to bring about the appearance of the spirits of the dead, and the false pretence that they intended to do that *bona fide* without any trickery. And that, in the allegation of the Crown, led to the payment of monies by persons for admission to such entertainment. Perhaps 'entertainment' is the wrong word—exhibition. Finally it is alleged by the Crown here that such behaviour—not necessarily particularly at this time when the dead are no doubt anxiously sought after by persons who have lost their boys—that such conduct as pretending to call them up when it is a false and hollow lie, is nothing more than a public mischief.

The decision as to whether these persons or any one of them is guilty is a matter entirely for yourselves; it is right that I should say now that, if you had any sort of reasonable doubt as to the part of any one of them, then you are there to exercise a duty, you are there for the protection of the individual in the dock; the jury system lays that obligation upon you that, if you have any reasonable doubt about the guilt of any one of those persons, you must acquit them. The whole paraphernalia of the law is directed chiefly, not to the pursuing and conviction of persons, but to the protection of the individual, except, of course, that the anxious burden is laid upon a jury to see that they are by no means deceived, and that, if persons are guilty of offences, then verdicts of guilty are recorded.

I do not propose to go into the whole of the details that are going to be proved to you, but I think it may be of assistance if I tell you some of the story. We are not concerned with the activities of any one of these four persons in point of time except during two months. We are not concerned with what Helen Duncan or any of the others have been doing except in two months, that is to say, last December and January of this year; and in those two months in substance we are concerned with only five days. The place is not in London; we are not concerned with any place here; we are concerned with a small house in Portsmouth, No. 301 Copnor Road, where, if you went to-day, you would find on the street level a drug store. I suppose that means a chemist's shop. That is Mr. Homer's. Mr. Homer is the man in the dock. Next to him is Elizabeth Jones, who is known in this case as Mrs. Homer. Husband and wife by law cannot conspire together. Although they are known as Mr. and Mrs. Homer, she is not his wife, but I propose to call her Mrs. Homer throughout this case because she is so known. Mr. Homer has the drug store in Copnor Road, and over the shop there is a room that has the attractive title of the

'Master Temple Psychic Centre,' which is registered as a church. The only advantage of that that I know of is that you do not pay any rates; you pay half a crown for the licence fee and that is all. The Master Temple Psychic Centre apparently consists of one room, and it is that room and the activities that went on therein that we are concerned with.

Towards the end of 1943, in November and December, it so happened that two naval officers got interested in the activities of the Master Temple Psychic Centre, and it was as a result of their interest in these spiritualistic matters that this prosecution was launched. One is a Lieutenant in the Royal Naval Volunteer Reserve, the other is a Surgeon Lieutenant in the Royal Naval Volunteer Reserve, a doctor, and I am going to tell you how it is that it came about.

The Lieutenant is a man called Worth, and I shall call him Mr. Worth. Mr. Worth met Mrs. Homer at the end of last year; he was interested in spiritualism, and Mrs. Homer gave him some news about it which was impressive, that a Mrs. Duncan—that is the lady in the fur coat—was coming down to Portsmouth in January; that she was a wonderful woman, that she could produce the spirits of past relatives, that her spirit guide used the ectoplasm of her body coming from her eyes, her ears, her nose and her mouth, for forming the spirit. That, of course, would be a matter of great interest to see. If in fact it was possible to do such a thing, no doubt it would be likely that persons who were anxious about the dead would be prepared to pay to see it; and indeed the charge, so Mr. Worth was told by Mrs. Homer, was 12s. 6d., which in the circumstances, I suppose, would be very moderate if one was going to see the ghost of Napoleon or the Duke of Wellington, but not of much value if you were going to see a bogus conjuring trick. Indeed, if one was going to see the mutilated body of their boy, as was indeed purported to be shewn at one of these sittings, it would be perhaps a painful demonstration.

Later on Mr. Worth asked if he could bring a friend, a doctor. He explained to Mrs. Homer that the doctor was very sceptical. Mrs. Homer had spoken to him about Mrs. Duncan's guide, who rejoices in the name of Albert, and apparently when Mrs. Duncan went into a trance Albert was able to assist her in some way to produce the ectoplasm, which curled round the armchair in which she sat; and in that way the armchair on one occasion had been dragged into the room attached to Mrs. Duncan's body by the ectoplasm. In order that one shall not suffer too much anxiety about the ectoplasm, it would appear that in the months of December and January the ectoplasm was something like a strip of cheese-cloth or butter muslin, or possibly some sort of towel.

When Mr. Worth told the lady that his doctor friend would be sceptical, the answer Mrs. Homer gave may be illuminating to you. She said, "I will give him a seat in the front row and scare him stiff." That, we suggest to you, is hardly the kind of talk to come from one who believed that God had chosen Mrs. Duncan to be the repository of the all-inspiring and heaven-sent power to produce spirits. She went on to explain that they must promise that they would not demonstrate in any way or be violent, that if the doctor attempted to touch the spirit, or caused a disturbance, the ectoplasm would rush back into Mrs. Duncan's body with such force that it might cause her serious harm, or even kill her—the sort of thing which you blow out and it comes back with a snap. In fact when the demonstration was given and this matter was laid bare by the naval officer Worth, the ectoplasm did not go back into her body. It most certainly did not go her way, it most certainly went into the audience. The suggestion of the Crown is that the towel was snatched by a confederate and disappeared, it certainly did not come back to her.

Worth paid Mrs. Homer 12s. 6d., and to Mr. Homer he paid another

12s. 6d. for his doctor friend, Surgeon Lieutenant Fowler. The case concerns five days: first of all, Friday the 14th January; nothing happened on the Saturday, we have no evidence about it; Sunday, Monday, Tuesday and Wednesday following, and it was on Wednesday, the 19th January, that these four persons were arrested. It would be overburdening you to go into all the details, as I said a few moments ago, but may I tell you a good deal about the first day of promised revelation, which was the 14th January? On that day Mr. Worth and the Surgeon Lieutenant repaired to the Temple. They were greeted by some gentleman downstairs; they went upstairs to the room, and the first thing that you see apparently is two or three rows of chairs in an arc facing a corner. In the corner there are curtains against the wall as if hanging over the door on that panel, and then there are curtains to cut off the corner. Those curtains can be drawn; so, if one placed a chair in the corner and drew the curtains in front of it, the person sitting on it would not be able to be seen until the curtains were withdrawn. That place is apparently referred to as the "cabinet". The curtains were drawn back, an armchair was seen to be there without anybody in it. There were some twenty or thirty persons present in the room, and a most interesting thing happened. On each chair there was a slip of paper with the name of each person there. Some of you may have been sceptical of certain Spiritualistic demonstrations—nobody is going to mock at such things; the day may come when much more may be known about them, but the fraudulent medium, of course, is not unknown. Those persons who are sceptical may have wondered whether it was of importance for the medium to know who was present; it might perhaps assist if you know there was a person who had particular reasons, or a person in a particular kind of business, and so in this room there was on a seat the name of Surgeon Lieutenant Fowler, a doctor, but the two naval officers by pure mischance sat in the wrong seats, so that Mr. Worth was sitting where the doctor ought to have been if they had been carefully placed. You will probably think that what happened afterwards has some bearing upon that placing, because what happened looks, in our submission to you, as though the fraudulent person, Mrs. Duncan, was counting on the fact that next to Mr. Homer was a doctor, when in fact next to Mr. Homer there was not a doctor.

Mrs. Homer, who played a prominent part in these proceedings on every occasion, told everybody to sit down on the seat with their names on it, and then the articles of clothing which Mrs. Duncan was to wear were produced. They were handed round—I forget what they were: some black knickers and a black skirt or whatever it was—and then people were invited out to examine the cabinet. There was nothing there except a chair and some curtains. Then the lady, Mrs. Duncan, went out to dress herself in the clothes, and three women went out to see that there was no trickery; very much the same, you remember, as in the old days you were asked up on to the platform to make sure that everything was all right. After that she came back and the three ladies agreed there was nothing there. They had even been asked to search her, and they found nothing there. Mrs. Duncan settled down in the cabinet, dropped her hands to her sides, leant back and appeared to go into what is called a trance. She started to groan, and it is a disagreeable incident of this particular case that Mrs. Homer started the proceedings with a prayer, and all these persons then joined in the Lord's Prayer, all those present. Mrs. Homer then drew the curtains, and anyone who had a torch was asked to surrender it, because, she said, if anyone flashed a torch it might cause harm to Mrs. Duncan. She then said that one torch must be left near Mr. Homer in case Albert the guide, who I understand talks with a sort of Oxford accent, needed it.

Then everything was ready for the performance to begin, except that

there was too much light; it was not to be a nice light place like this. There was a white light, a green light and a red light. Out went the white light, and out went the green light, and that left a very faint red glow, so that the red light would be here somewhere, and it was very dark indeed; there was just a very faint glow. It is impossible not to point out that, whatever believers in such matters may say, no doubt it is necessary and convenient or essential that one should do these things in almost pitch darkness for some reason or another yet unexplained to us mortals; yet it is also true to say that, if you do choose to do things in the dark, it is very much easier to do conjuring tricks than it is in the light.

If you could imagine the light turned down here for one moment; Mrs. Duncan was encased in the cabinet with the curtains drawn, and a voice suddenly spoke from the cabinet and said, "How do you do?" Everybody looked towards the cabinet, and they saw a white form which seemed to appear between the curtains—a rather traditional kind of ghost; no features could be distinguished by the naval officer, but Mrs. Homer and Mrs. Brown explained to the audience that this was Albert. The voice said that it was pleased to see so many familiar faces amongst the audience, and then the so-called spirit retired back into the cabinet. Why it should be essential that the curtains should be drawn every now and again one cannot imagine, but perhaps that is one of the things that you will be able to divine in a minute or two.

Then the voice came back again and said, "I am going to ask Mrs. Duncan to come forward so that you can all see her." Then there was a noise as of somebody getting up from a chair, and you could see the faint outline of a face which might have been Mrs. Duncan. It was sufficiently dark for the naval officer to be quite uncertain what it was. The distance was not so great as from me to you. Then the voice said, "Sit down, Mrs. Duncan," and the curtains closed, and the voice said, "Here is Mrs. Duncan and myself." You will realize that there was no question of any control; the woman was not tied down in any way. She was simply in the dark behind some curtains. Then the more serious business of the day was started. Albert had been well introduced and shown himself, and a voice said, "I have here a lady who passed with the lower part of her body affected in some way, with some trouble to her bowels. Will someone please claim this lady?" You would understand a person who might know about that would be the doctor—somebody who had got something the matter with the lower part of the bowels—and nobody said anything. Then the voice said, "It is for the gentleman on Mr. Homer's right." That ought to be the Surgeon Lieutenant, but it was not; it was Mr. Worth instead, and Mrs. Homer leant forward and told Mr. Worth to ask the spirit out. So Mr. Worth stood up and said to the wretched spirit, "Who are you?" Mrs. Homer then explained, "You mustn't do that. It is wrong. You mustn't say, 'Who are you?' You must say, 'Is it for me?'" and then Worth obediently said, "Is it for me?" and the voice replied, "That's the voice."

What I have just told you appears to have been the usual practice when these poor spirits were called from whatever they were doing or however they were enjoying themselves in another world. Apparently the spirit used to say something like, "I have got a lady here with trouble in her stomach," and then anybody who thought they might claim such a ghost would say, "Is it for me?" and the answer would come, "That's the voice." So Mrs. Homer prompted Mr. Worth to ask the spirit to appear, and Worth said, "Come out, please," several times, and eventually a white draped figure appeared between the curtains, and Mrs. Brown and Mrs. Homer prompted this officer to talk to this lady with the trouble in her bowels, and the poor man could not think what on earth to say, so he said, "Are

you my aunt?" which seems a reasonable remark to make, and the figure replied in a husky voice, "Yes." That was most disconcerting, because all his aunts are living. So what on earth his aunt was doing, masquerading as a spirit with trouble in her bowels, appearing in a white sheet, heaven only knows. Something had evidently gone wrong.

Then the voice said to the same gentleman, "I have a man who passed with some trouble to his chest." Worth again said, "Come out, please," a figure appeared between the curtains, and he said, "Are you my uncle?" To the surprise of Mr. Worth the figure said, "Yes," saluted and disappeared into the curtains again. He sat down, but that was not the end. A third shot took place for the same gentleman again. Up stood Mr. Worth and said, "Is it for me?" "That's the voice. I have here your sister." Now, it is getting fairly warm, to know about your own sister if there is such a person; but in this particular case there was no sister. Worth said, "There must be some mistake, because I have only one sister and she is alive." But the spirit was able to cope with this difficulty, for the voice said, "You may not understand, but she was a premature child. You say you think you have only one sister living, but in fact there was some embryonic infant that your mother had, and it is that little creature which has come to visit you in the Temple." Mr. Worth replied, "I am certain there were no premature children in our family." The voice said, "You can ask a question," but he didn't. He sat down.

Now we will turn to another kind of manifestation, and it is probable you may come to the conclusion there may be danger in this sort of demonstration. Albert said, "I have here a young man who was terribly mutilated, not through the War directly. Will somebody please speak up?" And a lady said, "Is it for me?" Can you imagine what any woman must have felt who was believing at that moment, perhaps longing with all her soul to believe, that she was going to see such a person? And Mrs. Duncan replied, "That's the voice"—the young man could not speak because he was so terribly injured—and explained that the arm was only a stump. She asked the lady to come forward and feel the stump of the arm, and a shrouded figure appeared between the curtains; the lady went forward and touched something. You would probably think in such a condition as that, one might easily be deceived by even an elbow being stuck out. Then the voice said, "It happened out East." The lady asked, "Was it Shanghai?" and the guide said, "No, it was not Shanghai, it was Singapore."

Albert is interested in the advertising business, and he proclaimed that his efforts had been successful. He said he was tired and he was going to leave them, but he said someone was coming to take his place. The person who arrived then to act as a sort of commissioner to the next world was a little girl called Peggy, a sort of assistant to Albert. A voice could be heard behind the curtains, and Mrs. Homer and Mrs. Brown, who, in our submission to you, act the part of suggestors, said, "That's Peggy." Peggy said to the doctor, "How are you?" and the doctor said, "Very well, thank you. How are you?" and the former replied, "I am all right; I would like to sing a song for you." The doctor was asked to choose one, and he said it would be nice if she sang "Annie Laurie." Peggy did not want to do that; she said it was too high-pitched, and so she gave a performance of 'Loch Lomond,' in which the audience rather feebly joined. Shortly after that she said, "I am going down now." Whether these people live down below one does not know.

Then Albert came back. He said, "I want to come to someone who put their foot upon an animal," and Mrs. Homer chipped in then and said, "Do you mean kindly or otherwise?" and Albert said, "Kindly." A woman



SIR GERALD DODSON, RECORDER OF LONDON



MR. HENRY ELAM



MR. JOHN MAUDE, K.C.

got up and said that she had put a cat out of its misery by placing it in a bath of water and holding it under with her foot; apparently the miserable animal had had a street accident of some sort and she just drowned it in that way in a bath by putting her foot upon it. And, lo and behold! having heard about this incident, the voice of Albert said, "That's the voice, and here is the cat." One really wants to keep hold of one's sanity. Some sort of object is supposed to have appeared, some small white object was shown between the curtains, and Mrs. Homer and Mrs. Brown said, "Oh, look, there's a cat." What the cat was doing before it was summoned to make its appearance in Portsmouth one can only imagine: whether it was hunting pink mice in the Elysian fields one does not know. All one knows is that a meow came from behind the curtains; so, I suppose, if one is a cat, one does not make much progress.

So after that everybody had the pleasure of seeing something. A parrot is alleged to have appeared, his name is Bronco. It came fluttering round from somewhere; it was called up by Albert from some heavenly forest, and it appeared in Portsmouth. It was followed by a rabbit. We do not know its name; we know the parrot was called Bronco.

Then you find something more interesting coming in a moment. The next thing that happened was: a feeble voice could be heard behind the curtains, a sort of old person's voice. Mrs. Homer and her satellite, Mrs. Brown, said, "Is that you, Granny, darling?" Whereupon the voice replied, "Yes, but I am not coming out this time." Granny was becoming rather petulant, and she was not going to remain, but she was sufficiently merry to sing a song in some language which could not be understood. Next came something which would be of immense interest to a lot of persons in this court. The spirit form announced that it was a policeman. No doubt all policemen hope that, when they pass into the next world, they will not go on being policemen for ever; they might have a rest for a day, but the astonishing thing about this policeman was that the voice said, "I have here a man who was a policeman in earthly life," and a lady said, "Is that you, Dad?" and Albert said, "That's the voice." A figure came out and then went back again, and then it said, "Wait a moment while I put my helmet on." Can you imagine anything more disappointing than a policeman having passed through life and apparently not having risen as high as an Inspector, because he still had a helmet? Finding himself in the next world, not in plain clothes, not at ease in a shirt and a pair of plain trousers, but having to look for his helmet, finding he had forgotten to put it on when he made his appearance? That is all the policeman did. He effected no arrest; he went back, and I suppose we are expected to believe that there is that policeman with his helmet on marching somewhere amongst the clouds or wherever it is. I know all this may sound to you absolutely insane, but one must remember that persons think it worth while to pay for such demonstrations. At any rate, having asked, "Is that you, Dad?" can you imagine anything more thrilling than to have the answer come back that it was Dad.

Mr. Worth was asked if he would like to meet Mrs. Duncan; and Mrs. Brown said, how did he like the seance? And the officer said he thought it was amazing, and in the course of conversation Mrs. Brown produced from her handbag some photographs, saying that they were genuine spirit photographs. I don't want to bother you with looking at them at the present moment, but I have got the originals here in my hand. You will see that they are quite small things; some of them are printed on postcards. These objects are, in the submission of the Crown, nothing more than purely fraudulent photographs. Take this one, a picture of a separate man and lady, both looking a bit stary-eyed, like you get in a flashlight photograph, and in between them appears, rather to one side, the

figure of a man, and round him appears to be a halo, and there are the words, "George. God bless you all," and two little crosses.

The reasons for saying these things are nonsense are twofold. In the Police there is a photographer who has produced some photographs showing just how it can be done. You will be given copies of these things in a moment and you will see that these things are not essentially the product of a spirit, but may well be the product of a policeman. The other reason for saying they are bogus is an interesting one and it is this. Mrs. Brown, when showing them to Mr. Worth, said that they were genuine spirit photographs and that the spirit forms had appeared by means of the ectoplasm from Mrs. Duncan's body at other meetings which they had attended. Now that is very important; that is the story which was told to Mr. Worth, and in our submission, it is important because evidently she was disturbed in her mind about these photographs; for, when the police saw her, she gave quite a different explanation about them. The photographs were shown to Mrs. Brown and she said, "Those photographs that you have I obtained from a Mrs. Flet of 31 Berkeley Street, Sunderland, a year ago." That is a funny thing, because she originally told Worth they were made with the ectoplasm of Mrs. Duncan's body, and she told the policeman, "Mrs. Helen Duncan wrote to me from Middlesbrough on the 6th January asking me to accompany her to Portsmouth on the 10th January." So you see, if Mrs. Brown is right on this occasion of the startling appearance of Mrs. Duncan in the mystic temple, Mrs. Duncan had arrived all the way from Middlesbrough accompanied by Mrs. Brown, and I say, as part of the paraphernalia to impress the gullible and to deceive the seeker after truth, these photographs were shown by this person.

I said to you it would be necessary to tell you something about that first day, and also that I was not going through the whole of the matters; you will hear about them from the witness-box, which is much better. When Mr. Worth and the Surgeon Lieutenant had seen that performance, the Surgeon Lieutenant decided not to come any more. But Worth thought it was too serious for that, and that he had better go to the police, and he did and he made a complaint; and I daresay everybody, even my learned friend, would say, if it was a fraud, no wonder.

On the Sunday Mr. Worth went back again, and you will hear about a girl called little Audrey who was afterwards called Shirley. On Monday and Tuesday Mrs. Duncan was still doing the same thing in this room upstairs; and, of the persons present I am going to call in regard to those days, one is a skilled labourer working at the docks and he believes himself to be a medium. So, you see, this is not a case of calling these suspicious-minded policemen or these roistering naval officers, who would not take the thing in the right spirit; this is calling a person who not only believes in Spiritualism, but believes that he is a medium. He will give you particulars of how he went with a Mr. and Mrs. Lock and how the same idle trickery took place. It may be worth while telling you that Mr. and Mrs. Lock are of the same class of person. Mr. Lock had the fantastic experience of his sister Sally shaking hands with him. Mr. Lock knows quite well what his sister's hand feels like. The hand he shook hands with was not at all like his sister's hand; it was a large, fat hand and was the sort of hand that Mrs. Duncan had then and has to-day.

Mrs. Homer, the satellite, had an interesting experience on the Tuesday when the Locks and Burrell were there again, because she greeted in the cabinet an old friend, Mrs. Allen, who apparently had died; and even after death Mrs. Allen was still supposed to have a swollen arm. The swelling had not gone down and, by working on the feelings of people and having dimmed lights and no doubt invoking Almighty God, a state of mind may be produced when people believe these things.

Finally on Wednesday in the afternoon there was a sitting when a lady called Mrs. Jennings went. Mrs. Jennings is the assistant controller of civil defence in Portsmouth. I can't describe her to you because I have not seen her. She is the person who looks after controls in the control room. She went to a seance on the afternoon of Wednesday, and she will tell you one thing that may strike you as quite fantastic. Mrs. Homer has a child apparently called Christine, and at this afternoon's sitting a white form appeared with a Scottish accent—that you will recognise as little Peggy—and Peggy asked Christine Homer if she, Christine, had missed some perfume. This is supposed to be the spirit of some person who has passed over, presumably into something which one hopes is not a lunatic asylum. And Peggy said, "You remember speaking to your mother about it and asking whether she remembered going to your perfume bottle and taking some?" And Peggy said, "I have been to your perfume bottle and taken some; it was very nice. I also tried your lipstick. I did not like that; it was too much like candle grease". Christine Homer invited Peggy to give her a kiss. Peggy sang and danced about in front of the curtains, speaking all the time in a very broad Scotch voice; and then Mr. Homer said to Peggy, "Have you hidden some papers of mine, because I can't find them?" You see, this wretched Scotch child who had passed over was still being tiresome; it had never grown up. Mr. Homer thought it had done something of a childish nature, and Peggy said, "No", and Mr. Homer said, "I thought you had been up to your pranks". Peggy said, "No, but I can tell you where they are," and she told him where to look, and Mr. Homer said, "Thanks, Peggy", and she disappeared. Something white appeared to fall down on to the floor in this dim light. That was the afternoon of Wednesday.

When we come to the evening of Wednesday there was Mr. Worth back again, and this time he had a War Reserve constable with him called Cross; Mrs. Lock was present. It cost twenty-five shillings to get Mr. Worth and police-constable Cross in there. They sat in the middle of the second row of seats. The proceedings were not allowed to go on for very long. Cross and Mr. Worth will tell you that the spirit of a young man was called upon to appear, and Cross saw a white shape appear between the curtains; he pushed forward the chair in front of him—on that chair was Mr. Homer—he jumped towards the cabinet; Mr. Worth switched on a torch because he could not possibly see otherwise, and, when the torch was switched on, Cross the policeman was about three feet from the cabinet. And what did he see? He clearly saw, not a young man or anything like that, but Mrs. Duncan standing between the curtains. She had got a white thing from the neck downwards. He reached out to take her by the arm, and she was pushing this sheet down towards the floor. It dropped to the floor and was immediately pulled towards the curtains on the left. He had his hands on the sheet, and it felt like something similar to butter muslin. It was pulled violently away, and Mrs. Duncan was found without her shoes; they were off and she was putting them on again. She said she felt ill; she asked for a doctor to be fetched, and then a rather strange thing happened, you may think. The constable asked Mr. Worth if he had seen the sheet, meaning where it had gone to, and Mr. Worth said, "No, it has gone." Now if in fact by some mystery one was able to conjure up spirits, or lend oneself to such activities as those of Albert and Peggy, it would be more than one could stand, would it not, to hear these manifestations described as a sheet? The first thing one would say would surely be, "Don't talk about a sheet! It's ridiculous, it is not a sheet; I suppose you mean the ectoplasm." But Mrs. Duncan never said anything of the kind. When they said, "Where has the sheet gone?" Mrs. Duncan said, "Of course it has gone," and she said, with a

great deal of common sense, "It had to go somewhere." And indeed it had, unless she was to be shown up there and then before all her friends and associates.

The Police Inspector arrived—a whistle had been blown—and War Reserve Cross told the Inspector how he got the cloth in his hand and someone snatched it away from him. They searched the room, but the cloth could not be found, and you will probably think that, although one woman had offered to be searched, in all the circumstances I have told you about it would have been a great waste of public time doing anything of the kind. The officer declined to do so. Christine was very excited, demanding that she should be searched—no one knows why, but she was very excited—and several other people wanted to be searched, and the Inspector said, "If any of you have this cloth, will you please hand it over to me?" Nobody did so and, unless my learned friend wants me to tell you anything more, I don't think I need go into any further details.

What it amounts to is this, in our submission. You have what I call the paraphernalia for fraud: the dark room, the little red light, the two voices of the man and Peggy. You have the sort of traditional ghost appearing between the curtains; the perpetual suggestions of Mrs. Homer and Mrs. Brown; the policeman who had forgotten his helmet; the cat, the parrot and the other creature, the rabbit; the photographs, very clearly bogus, used to impress; the ectoplasm which felt like butter muslin and seemed to be very strong indeed, and was pulled away from Cross; the ghost who likes to see livestock; the prayers; the fat hand of Miss Sally; the premature child; the aunt who was not dead. That is the picture of fraud. One does not want to discourage seekers after truth, but at any rate one has turned the light on to the little room in Portsmouth; and finally it is not too much to say that the mockery of the dead will cease in the little room over Mr. Homer's shop.

STANLEY RAYMOND WORTH, *Sworn.*

Examined by MR. ELAM.

- Q. Stanley Raymond Worth, are those your full names? A. Yes, sir.
- Q. Are you a Lieutenant in the R.N.V.R.? A. Yes.
- Q. I am told I may lead you about this. In December 1943 did you have a talk with Mrs. Homer? A. Yes, sir.
- Q. Where was that? A. At Copnor Road.
- Q. Portsmouth? A. Yes.
- Q. Did you know Mrs. Homer before? A. I had been there on several occasions before at ordinary meetings, and I got to know her from the conversations that I had had with her before.
- THE RECORDER: What were you before the war? A. Before the war, my Lord, I was a haulage manager.
- MR. ELAM: In December what did Mrs. Homer say to you when you saw her on the occasion I am speaking about? A. She told me that a materialisation medium was coming down, and said that she was a wonderful woman who was capable of bringing back passed relatives by using the ectoplasm of her body.
- Q. Did she say who the woman was? A. Yes, Helen Duncan.
- Q. Had you at that time seen Helen Duncan? A. No, sir.
- Q. Did she say when Helen Duncan was coming to Portsmouth? A. Yes, she said she was coming in January.
- Q. Did she tell you anything more about Helen Duncan? A. Yes, she described the way in which people had seen these spirit forms, and one incident that I remember was the vacuum cleaner episode: when the

ectoplasm rushed back into Mrs. Duncan's body, it drew up with it articles off the floor. And she said on one occasion she had to have an operation and inside her were found cigarette ends, match sticks, carpet tacks and all sorts of rubbish off the floor.

- Q. Like a vacuum cleaner? A. Yes.
- Q. Did she tell you of any article which had been drawn in? A. Yes, she mentioned those things.
- Q. Which you have told us of? A. Yes, and also she said that sometimes when the guide, whose name was Albert, commands her to come out while she is still in a trance, she pulls along the armchair in which she sits. She also told me that Mrs. Duncan has her own private room in the Psychic College at Edinburgh, and that the King's Chaplain had been down, and she said Lord Darling wanted to come as well.
- Q. Did you say that you would go along and see Mrs. Duncan when she came to Portsmouth? A. Yes, I said I should like to come. She said it was very difficult to fit everybody in, that hundreds of people wrote to her from all over the place, but, as she knew me as a special friend, she would allow me to go along, and it would cost me 12s. 6d., and she said it was worth every penny of it.
- Q. That was for admission? A. Yes.
- Q. Did you ask her anything about the spirits? A. Yes, I asked her if it was possible for me to see them, and she said, "Everyone can see them, they come up and walk around the room." She said on one occasion a little girl who she recognized as a dancer before she died came out and held her hand and asked her to dance with her, which she did.
- Q. This was Mrs. Homer, was it? A. Yes, sir.
- Q. I do not want to go into any more detail at this stage, I think. Did you see a friend of yours, a Surgeon Lieutenant in the Navy, after you had seen Mrs. Homer on this occasion? A. Yes.
- Q. Is his name Fowler? A. That's right.
- Q. You must not tell us what you said to him, because the accused were not there to hear, but did you say something to Surgeon Lieutenant Fowler? A. Yes, I described this.
- Q. As a result of talking to your friend did you see Mrs. Homer again? A. Yes.
- Q. Was that at the same premises? A. Yes.
- Q. How long after? A few days? A. Yes, a number of days.
- Q. Did you mention your friend to Mrs. Homer? A. Yes, I told her that he was not very convinced and was not a believer in Spiritualism, and she said, "Bring him along to see Helen Duncan." She said, "I will give him a seat in the front row and scare him stiff."
- Q. Did you tell Mrs. Homer at that time what your friend's occupation was? A. Yes, she knew him as a doctor.
- Q. When she said she would give him a seat in the front row, did Mrs. Homer say anything about that? A. She made me promise that I would tell him he must not demonstrate or be violent in any way, as it would cause the ectoplasm to rush back into Mrs. Duncan's body with such force that it would do her harm.
- Q. You paid 12s. 6d. at that stage? A. Yes, I had paid my money to Mrs. Homer, and I paid for the doctor a few days later the same amount.
- THE RECORDER: Not at this interview? A. No, I cannot remember the exact date, but I paid the 12s. 6d. for the doctor to Mr. Homer.
- MR. ELAM: Your own 12s. 6d., you say, you paid previously to Mrs. Homer? A. Yes.
- Q. In cash? A. Yes.

THE RECORDER: What is this place where you visited and paid this money?

A. The premises are a chemist's shop where the Homers live, and they hold these meetings over the shop in a room.

Q. Was it in the shop that you paid 12s. 6d. for Mr. Fowler? A. In a room at the back of the shop. You go through the shop to a waiting room.

Q. You paid it to the accused man Homer? A. Yes.

MR. ELAM: Had you paid 12s. 6d. to Mrs. Homer in the same room?

A. No, sir, that was upstairs.

Q. Upstairs in the same house, above the chemist's shop? A. Yes.

Q. Had you seen Mr. Homer before? A. Yes, sir, on the occasions that I had been to ordinary meetings he was nearly always there, and I knew him as Mrs. Homer's husband.

Q. So when you paid the money you knew who he was? A. I was quite satisfied.

THE RECORDER: When you speak of "ordinary meetings," what do you mean?

A. An ordinary Spiritualist meeting, my Lord, is rather like a religious meeting in any church.

Q. No demonstrations? A. No, my Lord, nothing like this materialisation seance.

MR. ELAM: On the 14th January of this year did you go with Surgeon Lieutenant Fowler to Copnor Road? A. Yes.

Q. Is the number 301? A. Yes.

Q. Getting there about a quarter to three in the afternoon? A. Yes.

Q. Did you go into the chemist's shop together? A. Yes.

Q. Were there other people there? A. Yes, we were greeted by a man whose name is Taylor Ineson; he is known as a Spiritualistic medium.

Q. Did you go upstairs? A. Yes, we were checked off by Mr. Homer with a list at the foot of the stairs.

Q. To see who you were? A. Yes, sir, and to see that we had paid.

Q. Did you have a ticket? A. No, sir.

Q. When you went upstairs, what room did you go into? A. We went into the room which is directly above the shop and facing the road.

Q. Is that a large or a small room? A. A fair-sized room.

Q. Were there chairs in it? A. Yes, there were two rows of chairs facing a corner of the room; that corner was curtained off and known as the cabinet.

Q. It is not a cabinet in one sense; it is just a curtain across two walls of the room, is it? A. Yes, a rod goes diagonally across the corner with curtains suspended from it.

Q. Is there any stage? A. Yes, at the back of the room there was a small platform.

Q. But not where the curtains were? A. No, sir.

Q. When you got up there, were the curtains drawn across or were they drawn back? A. They were open, right against the wall.

Q. Was there anything behind the curtains? A. Yes, there was a wooden armchair in the corner with the usual movable leather seat; and the corner of the room behind the curtains at the front was also draped with other curtains.

Q. Behind the chair? A. Yes.

Q. Instead of bare walls? A. Yes.

THE RECORDER: You don't know whether there was any door behind those?

A. I do know, my Lord, because we were asked to search later on.

Q. And there was no door behind them? A. No, my Lord.

MR. ELAM: You found that out later? A. Yes.

Q. Were there windows in the room? A. Yes, there was a large bay window which was blacked out.

Q. What sort of lighting was there? A. There were three lamps burning, a red one, a green one and a white one.

- Q. What position were they in in the room? A. The green one was fairly close to the left hand wall and rather low down. As we came in the door, the red one was at some distance further back suspended from the ceiling; and the white one was in the centre of the room.
- Q. Also suspended from the ceiling? A. Yes.
- Q. How many people were there when you got into the room? A. I led the way, sir, and approximately twenty or twenty-two people came in. On each chair was a piece of paper with the name of the person for whom that seat was intended, and we were asked to sit on those seats.
- Q. You went with Mr. Fowler? A. Yes.
- Q. Was there a piece of paper with your friend's name on it? A. Yes.
- Q. Where was that? A. In the second row. We were asked to sit down, and by mistake I sat on the doctor's chair and he sat on mine.
- Q. Did you change over? A. No, we remained seated, but changed over the pieces of paper. Mrs. Homer seemed very intent on getting everyone in the seat with their name on it.
- Q. Did she say so? A. Yes, she told us to sit down in the seat with our names on, and to take up the paper.
- Q. You told us Mrs. Homer was seeing to the seating. Was Mr. Homer there? A. He came in too.
- Q. Was Mrs. Duncan there? A. Not at this moment.
- Q. Was Mrs. Brown there? A. Yes, she came in.
- THE RECORDER: She came in after you arrived, did she? A. Yes.
- MR. ELAM: When the people were assembled what was the first thing that happened? A. First of all Mrs. Homer asked that all torches should be surrendered; anyone with a torch in their possession should hand it over.
- Q. Had you or your friend got one? A. No, sir. Three people had torches, and they gave them to Mrs. Homer, and she left one with Mr. Homer who was sitting on my left, in case Albert should need it to flash on to the spirit form. She said that it was dangerous for anyone else to have one, as it might hurt the medium. Then the clothing was passed round for us to inspect, and everyone looked at it, and it was taken into the next room.
- Q. Who passed that round? A. Mrs. Homer.
- Q. What sort of articles were they? A. There was a black frock and a black slip, a pair of black knickers and a pair of black Court shoes.
- Q. Was that the lot? A. Yes.
- Q. Did you look at them? A. Yes, we inspected them thoroughly and found no white material.
- Q. Having inspected it, to whom was the clothing handed back? A. To Mrs. Homer.
- Q. Did you examine anything else? A. Yes, sir, we examined the cabinet at Mrs. Homer's request.
- Q. What did she say? A. She said, "Make a thorough search of it." And, pointing to me, she said, "I want you to be one of the three gentlemen to volunteer."
- Q. Was your friend one of the other two? A. Yes.
- Q. And a third individual? A. Yes.
- Q. Did you three go forward to what you have referred to as the cabinet? A. Yes.
- Q. Was that when you found there was no door behind the curtains in the angle of the wall? A. Yes, sir.
- Q. Did you find anything else that you want to refer to? A. Nothing at all, sir. We were thoroughly satisfied that there was no white material there.
- Q. Did you then go back to your seat? A. Yes.
- Q. Were any ladies called forward? A. Yes. Mrs. Homer then asked three ladies to volunteer to go in and dress Mrs. Duncan in these clothes that we had inspected.

- Q. Did three ladies come forward? A. Yes.
- Q. Where did they go? A. Into the adjoining room, through the door by which we entered.
- Q. On the first floor? A. Yes.
- Q. Had you, up to that moment, seen Mrs. Duncan in the room? A. No, sir.
- Q. Did you wait while that was taking place? A. Yes.
- Q. Did the three ladies come back? A. Yes. Soon after they came in Mrs. Duncan came as well and stood in front of the audience.
- Q. That was the first time she appeared that day, was it? A. Yes.
- Q. What was she wearing? A. She was wearing the clothes which had been passed round, because she asked these ladies if they were satisfied that she was wearing these articles, and they said yes; and she also asked if they had searched her hair, and they agreed that they had.
- Q. Had she got anything on her head? A. No, sir, only her hair.
- Q. Were the people like yourself in the room then sitting on the chairs? A. Yes.
- Q. I think you told us your doctor friend was on your right? A. Yes.
- Q. And Mr. Homer on your left? A. Yes.
- Q. Where was Mrs. Homer? A. Mrs. Homer was sitting near the wall which we were facing—nearer the door.
- THE RECORDER: Behind you? A. No, in front of us, my Lord.
- MR. ELAM: You were facing rather across the room, were not you? A. Yes.
- Q. Was she at your side? A. No, she was in front of us against the wall on the right as we entered the door.
- Q. The cabinet being on your left. A. Yes; if this was the room, the cabinet would be here, and Mrs. Homer here, and I was there in that arc facing that corner.
- Q. Did you notice Mrs. Brown? A. Mrs. Brown was behind us, and she seemed to be standing most of the time.
- Q. Had Mrs. Brown said or done anything up to then? A. Nothing that I can remember.
- Q. What did Mrs. Duncan do? A. Mrs. Duncan went into the corner known as the cabinet and sat in a chair; she then appeared to go into a trance and the curtains were drawn.
- Q. What sort of attitude did she sit in? A. She flopped back into the chair and let her arms fall to her side and dropped her head to one side, and made some funny groaning noises.
- Q. Were her eyes open or closed, did you notice? A. Closed, sir.
- THE RECORDER: Who drew the curtains? A. I think it was Mrs. Homer, my Lord.
- MR. ELAM: I don't know whether it was before Mrs. Duncan had gone into the cabinet or immediately afterwards, but had the meeting been formally opened in any way? A. Yes, it was opened with prayer by Mrs. Homer, and we all joined in the Lord's Prayer, and then she said the guide Albert likes to sing 'South of the Border,' and we were asked to join in with her in singing that song.
- Q. Did the people join in? A. Well, it was rather a belated attempt, sir, and it sort of petered out.
- Q. Was there any music to support it? A. No, sir.
- THE RECORDER: Who led the singing? A. Mrs. Homer, my Lord.
- Q. 'South of the Border'? A. Yes, sir.
- Q. Did you know it? A. I had heard it, my Lord; it is a common song that most people have heard at some time or other.
- MR. ELAM: Did the people stand, or kneel or what, when the Lord's Prayer was said? A. I would not be certain whether we were standing or sitting, but as soon as the prayer had ceased we were sitting; I do know that.

THE RECORDER: Then you sang 'South of the Border'? A. Yes.

MR. ELAM: At the moment Mrs. Duncan had gone into the cabinet what about the lighting? A. Mrs. Homer called for the white light to be extinguished; then she removed the bulb and she called for someone to remove the green one, and that left the room in darkness except for this faint glow, and we gradually became accustomed to the objects in front of us.

Q. It left the red light? A. Yes.

Q. Which I think you have told us was rather behind you as you were sitting? A. Yes.

Q. Were the curtains drawn across the cabinet? A. They were still closed, sir.

Q. What happened? A. We were all looking forward. I for one was wondering what was going to happen, and suddenly a voice from behind the curtains said, "How do you do?" rather like that.

Q. Did it appear to be a man's voice or a woman's voice? A. It was rather a high-pitched voice; it could have been a man's voice.

Q. What happened? A. We saw a white draped figure come between the curtains, which parted slowly.

Q. Could you see who it was? A. Mrs. Homer and Mrs. Brown said that it was Albert, and the voice said it was glad to see so many familiar faces in the audience.

Q. Could you see any face? A. No, sir. There was a dark patch which seemed to be cut away in the material, which could have been a face.

Q. As you were sitting, how far from the figure as it came from the aperture between the curtains would it be? Could you point to something in court? A. Yes, sir. I should say just about where that desk lamp is from where I am now would be the distance.

THE RECORDER: Did that white object that you saw resemble a white figure? A. No, my Lord; it was rather like a piece of cloth that was being held by someone who floated.

Q. It was not a figure? A. It did not go right down to the floor, my Lord.

Q. Something white appeared? A. Yes.

MR. ELAM: Did it stay out? A. No, it went back in between the curtains. The curtains closed again, and it said, "Here is Mrs. Duncan for you to see. Will you come forward please, Mrs. Duncan?" and a dark shape appeared between the curtains which we all gathered was Mrs. Duncan. The voice then asked her to sit down again.

THE RECORDER: The guide? A. This is Albert.

Q. What was Albert? A. This white thing; we were told it was Albert.

MR. ELAM: When Albert appeared, had anybody drawn the curtains from the audience side or had the curtains parted from the inside of the cabinet?

A. Yes, sir, they were definitely not touched by anybody in the audience.

Q. Nobody got up and helped? A. No, sir. There was a definite rattle of the curtain rings as they were opened like that.

THE RECORDER: You said somebody invited Mrs. Duncan to come forward? A. Yes, that was the voice inside the cabinet speaking.

Q. You said it was Albert? A. We were told it was Albert.

MR. ELAM: What sort of voice was it? A. The voice that Albert used.

Q. What happened? A. The curtains parted again, as I have described. We saw this dark form and she retired again and the curtains closed.

Q. Was anything said at that time? A. Yes, the guide's voice said, "There is no doubt about it being Mrs. Duncan, is there?"

Q. Did anybody in the audience say anything? A. Mrs. Homer and Mrs. Brown sort of corroborated that, sir.

Q. Murmured assent, do you mean? A. Yes. Then the voice said, "Mrs. Duncan and myself," and the curtains parted again, and I saw this white shrouded figure, but I could not see Mrs. Duncan, and they closed again quickly.

THE RECORDER: Did you say, "I saw something white"? A. Yes, my Lord.

Q. Similar to what you had seen before? A. Yes.

Q. But not Mrs. Duncan? A. No.

Q. And then the curtains closed? A. Yes, my Lord.

MR. ELAM: Did the voice continue? A. Yes, sir. The voice said, "I have here a lady who passed over with some trouble to the lower part of her body." It mentioned the bowels and said, "Would somebody please call her out?"

Q. Did anybody? A. Yes, sir. I was prompted by Mrs. Homer, and I said, "Who are you?" and she said, "You must not say 'Who are you?' otherwise she will go away. You must say, 'Is it so-and-so?'—somebody you know." So I said, "Come out please. Is it for me?" I beg your pardon: I had to say, "Is it for me?"

Q. Not, "Who are you? A. That's right, sir.

Q. And you said, "Is it for me?" A. Yes. The guide's voice said, "That's the voice."

Q. Had it been indicated at all that you were the one to answer? A. When I spoke up, prompted by Mrs. Homer, the guide said, "That's the voice." Then I said, "Will you come out, please?" and after repeating that several times a white figure appeared between the curtains, and I said, "Are you my aunt?" and it said, "Yes," and retired into the curtains again.

Q. What sort of voice did it answer in? A. In a rather husky whisper.

THE RECORDER: Was this form similar to what you had seen before? A. No, my Lord, it was rather a different shape. This came right down to the ground and was definitely a large person underneath it, or it gave me the impression that it was quite a large person—this white form.

MR. ELAM: Substantial? A. A substantial figure; yes, sir.

Q. Before you said, "Are you my aunt?" had anybody asked you to speak and say something? A. I was prompted by Mrs. Homer and Mrs. Brown to speak up.

Q. And you did so? A. Yes.

Q. Have you got some aunt or aunts? A. All my aunts are living, sir.

Q. How many have you got? A. I really cannot say at the moment, sir, not without going through the family history.

Q. Several, have you? A. Yes, sir. I can remember them if you wish me to.

Q. No, I don't think it will be necessary. They are all living, are they? A. Yes, sir.

Q. What was the next thing that happened? A. The next thing was, the voice said, "Here is a gentleman who passed with some trouble to his chest, for the same gentleman," meaning me. I said, "Is it for me?" and the guide said, "That's the voice." And I said, "Come out, please," and a figure then appeared before the curtains, and I really didn't know who to think of, so I just said, "Are you my uncle?" and the voice said, "Yes," the voice from this figure, and saluted and disappeared. I cannot imagine which uncle it was.

Q. Have you got some uncles living? A. Yes.

Q. Have you any deceased? A. Yes, two.

Q. Show us what salute it gave? A. Like that, sir.

Q. The naval salute or the military salute? A. It might have been a cab-driver's salute, sir; I don't know.

Q. Were any of your uncles in the Services? A. I had one uncle in the police force, sir, and another one who had never been in any of the Services.

Q. You said something about chest trouble. Was this voice husky or clear? A. This voice was husky too.

Q. What happened after that? A. Then I sat down, and the voice said, "I have here for the same gentleman his sister." I thought there must have been some mistake, and I said, "I have only one sister, who is alive." And

this voice repeated that this was my sister. It said, "Perhaps you don't understand, but she was premature."

Q. So far as you knew at that moment, where was your sister? A. My sister at that moment, sir, should have been driving an ambulance in London.

THE RECORDER: Was the figure of your uncle in any colour? A. It was just this white shrouded figure, no describable lines about it.

MR. ELAM: Is your sister alive and well? A. Yes.

Q. And still driving the ambulance? A. Yes, sir.

Q. You said you were told, but you did not understand it, something about her being premature. Did you say anything? A. I said I was quite certain there were no premature children in our family, and the voice said, "You can ask the question." And to be quite certain I asked my mother, and she said quite definitely there were no premature children.

Q. Then did you sit down again? A. Yes.

Q. What was the next thing that happened? A. Several other forms came up; I cannot remember the exact order, but one I do remember in particular because it impressed me so much that it was not spiritual as this meeting was intended to be.

Q. Tell my Lord and the jury about that? A. A figure was reported to be inside the curtains by the voice, and a man in the audience whose name I know to be Taylor Ineson stood up and said, "Is that you, Jarvis?" And the guide said, "That's the voice," and he called this figure up, and it came out of the curtains—this white shrouded figure came out from between the curtains and leaned over the first row and shook hands with Taylor Ineson, standing in the second row.

Q. What size figure was it? A. Much about the same size as the others; quite a bulky figure.

Q. Did you actually see the handshake? A. Yes, sir. He said, "Hullo, Jarvis, how are you?" and shook hands.

Q. That was Mr. Taylor Ineson? A. Yes.

Q. Did a hand come out? A. Yes, this hand was lifted up in front of the figure as I am lifting my hand now. They had a jovial sort of conversation. Taylor Ineson said, "How are you getting on?" and he said he did not think much of his medium as she was too fat.

Q. Who said that? A. This spirit medium, he said he did not like her and she was too fat; that was the gist of his remarks then. Then he said, "Why have you got all these people with you; why don't you come here?" indicating the cabinet. And Taylor Ineson said he could not go in there, and then there was some muttered conversation between the two of them as though they were having a private joke, and I distinctly caught the words "bloody twisters", and afterwards Taylor Ineson said, "Did you hear him swear at me?" and as I heard the word "bloody", I said, "Yes, I did hear it".

Q. Who said "bloody twisters"? A. This spirit form.

Q. What sort of voice was it? A. It was in the Yorkshire dialect; it is quite easy to imitate it if you want me to.

Q. Are you a Yorkshireman? A. No.

Q. You recognized it, did you? A. No.

THE RECORDER: You caught the words 'bloody twisters,' and the form said, "He swore at me"? A. No, sir. That was Taylor Ineson afterwards. After it was all over, he spoke to Mrs. Homer in regard to that.

Q. And said that Jarvis had sworn at him? A. Yes.

Q. And you said, "Yes, I heard it"? A. Yes, my Lord.

MR. ELAM: Was Mr. Homer sitting next to you during what you have been telling us about? A. Yes, sir.

Q. Had Mrs. Brown moved at all? A. No. As far as I know, she remained standing at the back.

- Q. What about Mrs. Homer? A. Mrs. Homer was still sitting in her chair.
- Q. As you have described? A. Yes.
- Q. Did the voice say anything about any other character? A. Yes, sir, it said that there was a young man who had been reported missing, and would somebody please speak for him, and a lady who was sitting in the front row spoke up; she seemed to me to be under some strain. She said she had heard that her son had been reported missing some weeks ago, and the guide said, "That's the voice", and asked her to call out this spirit, and a form appeared between the curtains, some conversation passed between them and the form retired again.
- Q. What sort of form appeared between the curtains? A. A similar form to the others, sir.
- Q. Were any particulars given of this young man? A. I believe he was in the Forces; I cannot remember exactly, but the guide afterwards said he did not stay out long because he was embarrassed because there were officers in the audience.
- Q. Were you wearing your uniform? A. Yes, sir; and so was the doctor.
- Q. Was there anyone else in uniform in the audience? A. Yes, there was a Wing Commander Mackie.
- Q. Was he wearing uniform? A. Yes.
- Q. Anybody from the Army? A. Yes, there was a soldier there.
- Q. Was he wearing uniform? A. Yes, sir.
- Q. Was the War referred to? A. Yes. The guide said, "Here I have the mutilated body of a young man who suffered, not through the War direct, but he was killed in an explosion out East", and a woman said, "I knew a young man who was injured, I think it was at Shanghai", and the guide said, "That's the voice, but it was not Shanghai; it was Singapore."
- Q. What were the injuries, do you know? A. It said that the body was badly mutilated and there was only the stump of the arm, and the guide's voice also said that the young man could not speak, but if she would call him out he would show himself; and it asked her to come forward and feel the stump of the arm.
- Q. Did anything appear before the cabinet curtains? A. Yes, this shrouded figure came between the curtains, and the lady went forward and touched this spirit.
- Q. Did you see that? A. Yes, and then the form returned, the guide's voice said, "Did you feel the stump of the arm?" and the lady said, "Yes".
- Q. Could you see whether the form had in fact the stump of an arm? A. It was very difficult to see, but it appeared to hold forward a part of the right side of the figure, and that was what the lady touched. But it seemed to be shrouded in some sort of material; it was rather difficult to distinguish any particular limb.
- Q. Did you see any hand come out on that occasion? A. No, sir; it was a sort of projection, and the lady touched that.
- Q. With her hand? A. Yes. It could have been anything.
- Q. Did the voice go on talking? A. Yes, sir. He brought forward other people. The guide said, "I have here an old lady who passed away some time ago. She was well into the nineties." I think it gave a brief description of her as well, and it said, "Will someone please speak up for this lady?" and a lady sitting at the end of the row on my right said, "Is it you, aunty?" and the guide said, "That's the voice," and this shrouded figure appeared between the curtains.
- Q. The same as before? A. Yes, the same process, and she said something to her and the form disappeared again, and then the lady said, "But my aunty was seventy-five, not ninety-five," and the guide's voice said: "I did not say ninety-five, I said well into the nineties."

- Q. What happened about that? A. We were all left rather wondering about that.
- Q. Did the form retire into the cabinet again? A. Yes, the curtains closed as it went back.
- Q. You have told us, I think, about Albert. Was it always the same guide? A. No, sir. Albert said at one period, "I am going to leave you now, but someone you all know will take my place for a short period." And very soon afterwards we heard a high pitched feminine voice talking in broad Scotch inside, and Mrs. Homer and Mrs. Brown, who had been doing all the prompting, said, "That's Peggy", and this form appeared, and Mrs. Homer leant forward and touched me on the knee and said, "This is Peggy, the little helper who helps sometimes."
- Q. Did you notice the form? A. It was quite a bulky form.
- Q. Did you notice any difference from the previous one when Albert was talking? A. Yes, the voice was different.
- Q. But otherwise much the same? A. Except that she seemed to be jumping about more; I could hear her feet banging on the floor as she hopped about, rather lively compared with Albert.
- Q. Had Albert hopped about? A. No, sir; but several times during the evening I could hear the sound of heavy thumping as the spirit retired behind the curtains, as though her feet were moving on the floor.
- Q. Was there a carpet on the floor in the cabinet? A. Yes.
- Q. What did Peggy say? A. She spoke to the doctor.
- THE RECORDER: Was it a white form that appeared shrouded as before? A. Yes, my Lord. This figure, which we were told was Peggy, said to the doctor, "How are you?" And he said, "I am all right, thanks, how are you?" And she said, "I am going to sing you a song. What would you like?"
- MR. ELAM: Who was this? A. Peggy talking to the doctor.
- Q. On your right-hand side? A. Yes.
- Q. How close? A. I could have reached out and touched her like that.
- Q. Did you? A. No, sir. The doctor said, "How about 'Annie Laurie'?" and this supposed young girl said, "I can't sing that; it's too high-pitched," but she said, "I will sing you 'Loch Lomond' instead", which she did.
- Q. How much of it? A. A chorus, sir.
- Q. Any verses?
- THE RECORDER: It doesn't matter. A. We heard all the words, and she more or less asked us to join in with her.
- MR. ELAM: Did the audience join in? A. It was a very feeble attempt, sir.
- Q. What happened after 'Loch Lomond' had been rendered? Did the form retire? A. Yes, sir. She said in broad Scotch, "I'm gaun doon noo", and went back into the curtains; and then we heard the guide's voice speaking again.
- Q. Did Peggy or Albert reappear? A. We heard Albert's voice speaking, and it said that someone had put their foot upon an animal at some time or other, and Mrs. Homer said, "Do you mean in a friendly way, or otherwise?" and the guide's voice said that it was definitely friendly, and a woman's voice said, "Well, I once put a cat out of its misery by holding it in a bath of water with my foot because it had been run over," and Albert's voice said, "That's the voice, and here is the cat."
- Q. Were you looking? A. Yes.
- Q. What happened? A. Something meowed behind the curtains.
- Q. Like a cat? A. Yes, and a faint object was just pushed through, and a voice said, "Here is the cat". I could not say whether it was a cat or not.
- Q. How big was the object which was pushed through the curtains. Show us with your hands? A. About that size. Just a small object.
- Q. What colour? A. White material.

- Q. You couldn't say whether it was a cat or not? A. No, sir.
- Q. Did Mr. Homer say anything when this object appeared, or Mrs. Brown? A. Yes, they made comments.
- Q. What sort of comments? A. "How wonderful", or "How nice it is".
- THE RECORDER: Mrs. Brown and Mrs. Homer were not sitting together, I gather? A. No, sir.
- Q. When you say 'they', do you mean that they alternatively gave expression to something? A. Yes, sir. At any time when anyone seemed a little hesitant they sort of prompted them, and told them to speak up.
- Q. Again you use the expression 'they'? A. Well, sometimes they did it together, my Lord.
- Q. Are you sure Mrs. Brown was taking a part in that? A. Yes, my Lord.
- Q. I gather it was an object about the size of a cat? A. Yes, my Lord.
- Q. The cat might have been curled up; did it appear to be high, in relation to the floor? A. If someone had been standing behind the curtains it appeared to be thrown forward at the level of their hands.
- MR. ELAM: Could you see if anything—and, if so, what—was supporting it? A. No, sir. All of it was not outside the curtains, but just about half of it; that is what I gathered. I could not discern which half.
- Q. Or what was holding it out? A. No sir.
- THE RECORDER: And then it was withdrawn, I suppose? A. Yes, my Lord.
- MR. ELAM: From what direction did the meow come?
- THE RECORDER: He told us, from behind the curtains.
- MR. ELAM: Did you say that? A. Yes.
- Q. How many times did it show? A. Only once.
- Q. Did any other animals appear? A. Yes. The guide said, "Somebody lost a parrot", or words to that effect, and some woman claimed this parrot. A lady in the front row said, "It must be dear old Bronco," and the guide's voice said, "That's the voice, and here is the parrot", and we saw something pushed through the curtains again, held at something like that angle, and I could hear a voice talking rather like a parrot.
- Q. Saying what? A. "Pretty Polly," and things like that.
- Q. Was the parrot about the same height from the floor as the cat had been? A. Yes, sir.
- Q. Did it look like a parrot? A. Well, we had been told it was a parrot, sir.
- Q. What did it look like? A. I can't really say; it just looked like a white object which could have been a parrot. Only I was not close enough to see.
- Q. Any other animal? A. Yes, a rabbit was produced under the same circumstances.
- Q. Tell us how it came to be produced? A. The guide asked for someone to claim a rabbit which had materialised, and someone did, and this rabbit appeared from between the curtains in the same way.
- Q. Had it got a name? A. I don't think so.
- Q. Could you see its ears? A. No, sir. I would not like to say that I saw anything that I recognized about it as being a rabbit. While we are talking about animals, sir, on the previous night to this I went upstairs into a room after the previous night's seance had been held, and a sailor came in—
- Q. No, I don't think we had better have that.
- THE RECORDER: I think you had better just answer questions. A. He said he had seen—
- MR. ELAM: No, please don't tell us any more. You have told us about a cat, parrot and rabbit. We are talking about the 14th. A. Yes.
- Q. Did any other animal or bird appear on the 14th? A. Not on the 14th, sir.
- Q. Which guide's voice introduced the animal's, Albert's or Peggy's? A. Albert, sir.
- Q. Passing from the animals, what happened after that? A. The guide's voice said, "I have here a policeman who passed over". He mentioned

some complaint which I do not remember, and a lady said, "Is that you, Dad?" and the guide's voice said, "That's the voice," and she called this form out, and the form appeared between the curtains and then went back and said, "Wait a minute while I put my helmet on". Then the form re-appeared, and Mrs. Homer said, "Look at his helmet", and I looked very hard, but I could not see any helmet.

Q. What colour was it? A. This was a white form, just the same as the others.

Q. Could you see his bullseye lamp or his baton or his belt? A. No, sir, nothing to indicate he was a policeman at all.

THE RECORDER: Mrs. Homer said, "Look at the helmet," and you did, but could not see one; is that right? A. Yes.

MR. ELAM: Did Mrs. Brown say anything when the policeman came out? A. I would not be certain; I believe she did, but I can't remember what she said; in the same strain that Mrs. Homer did.

Q. Did Mr. Homer, sitting next to you, say anything about the policeman? A. No, sir, he said nothing.

Q. Did anyone else come out?

THE RECORDER: Is that all you can remember? A. That is most of that afternoon that I can remember, my Lord. At the end of the meeting Albert's voice issued from the cabinet and said, "You see what I have here," and the curtains parted slowly, and from where I was sitting it looked as though a clenched fist was being held up at about that height, and Mrs. Homer said, "Yes, it is a voice box", and the voice then said, "I want the gentleman sitting on Mr. Homer's right to count the number of seconds it takes for Mrs. Duncan to appear after I have stopped talking."

MR. ELAM: That was you? A. Yes, sir; that was me.

Q. Did you? A. Well, hardly had I gathered what he meant when Mrs. Duncan came running out of the cabinet waving her arms violently and sat down next to Mrs. Homer, but according to my belief she should have been grasped by Mr. Homer who was sitting next to the cabinet to catch her as she came out of her trance. And people said, "That's the first time she has done that."

THE RECORDER: Did that bring the proceedings to an end? A. Not quite, my Lord.

MR. ELAM: Were there any other songs besides 'Loch Lomond'? A. I do not remember any other songs on that occasion. Mrs. Duncan then seemed to come out of her condition, and spoke to the doctor who was sitting on my right, and said, "I ken 'ye, I ken ye", meaning she had seen him before somewhere, and he said, "You have not seen me before". She said, "I don't know" or "I dinna ken", or words to that effect. Mr. Homer asked me for a cigarette for Mrs. Duncan, and I gave him one.

Q. Were the lights put up then? A. Yes, the lights were replaced, and she was conducted to an adjoining room.

(Adjourned for a short time.)

MR. ELAM: When the Court adjourned you were saying how the seance on the 14th came to an end. Mrs. Duncan was given a cigarette by you, and the lights were put up. Do you remember? A. Yes.

Q. How were the lights put up? Were they switched on again, or were the bulbs put back? A. The bulbs had been replaced.

Q. Before they could light up? A. Yes, because the switch that controlled the lighting apparently only switched out the red one; the others were suspended from sockets attached to the same lead.

Q. What happened after that? A. Mrs. Duncan was conducted to the adjoining room, and she said to the doctor, "As you are a doctor, you can come in and see me undress."

Q. Did they retire? A. Yes, they went into the adjoining room.

Q. When the lights were put up and Mrs. Duncan was in the room with yourself, what was she wearing? The same clothes that she had worn when she entered the cabinet? A. As far as I know.

Q. Did you stay in the same room? A. No, that was in the adjoining room.

Q. Did you have any conversation with Mrs. Homer? A. Yes, I said to Mrs. Homer, "Every time the spirit disappeared into the curtains there was a sort of rustling noise, like cloth," and she said, "That must have been the psychic winds."

Q. Did you talk to Mr. Homer at all? A. Yes, he asked me how I had enjoyed it, and I said I thought it was all very amazing.

Q. Did Mr. Homer say anything relevant to that? A. He said she was a marvellous woman, and he said that his guide had told him that she was not long for this world.

Q. Meaning Mrs. Duncan? A. I beg your pardon. Her guide Albert had told him that Mrs. Duncan was not long for this world.

THE RECORDER: Albert had told him? A. That's right, my Lord. I was then asked if I would like to see Mrs. Duncan and be introduced to her in the next room.

MR. ELAM: Did you go? A. Yes, sir.

Q. Was she dressed again? A. Yes, sir.

Q. In her ordinary clothes? A. That's right.

Q. Did you speak to Mrs. Duncan? A. I beg your pardon. Mrs. Brown first asked me what I thought of it, and I told her I thought it was very amazing, and she said, "Yes, it is very wonderful". And Mrs. Duncan asked the doctor what he thought about it, and he was not quite sure, and she said, "It makes you think, doesn't it?" and he said, "It does make me think; I am thinking very hard", and they seemed to want to try to convince him about it.

Q. Did Mrs. Duncan say anything more to you? A. Not that I know of, but Mrs. Brown did.

Q. What did she say? A. She produced some photographs.

Q. May we have exhibits 1, 2, 3 and 4.* There is one short. (*To the witness*) Are those some of the photographs which Mrs. Brown showed you which you have just referred to? A. Yes, sir, these are they.

Q. Did you look at them? A. I did, sir.

Q. Did Mrs. Brown refer to them in any way? A. She said they were genuine spirit photographs that had been taken at a seance which Mrs. Duncan had attended, and these spirit forms were caused by the use of the ectoplasm from Mrs. Duncan's body.

Q. Did she say when or where that had happened? A. She did say some time, but I don't remember when it was.

Q. Had she been there? A. Yes, sir, she had been there; she told me that.

Q. Here is exhibit 1. Will you look at it and see if that is one of the photographs which Mrs. Duncan showed you at that time? A. Yes, sir; I recognize that.

THE RECORDER: Then the exhibits are 1, 2, 3 and 4, are they?

MR. ELAM: Yes, my Lord. Might Mr. Loseby have one for the defence. (*To the witness*) Does that conclude, to all intents and purposes, subject to my learned friend, what happened on the 14th January? A. Yes.

Q. On Sunday the 16th—there is no dispute about the date—did you go back to the same place? A. Yes.

Q. Did you pay for admission on that date? A. Yes, sir. I bought two tickets. The price was 1s. 6d. each.

Q. To whom did you pay the three shillings? A. A Mrs. Taylor, who was working on behalf of Mrs. Homer.

*These were four photographs showing alleged spirit forms.

- Q. Did she say so? A. Yes. I knew her because she has often been there before.
- THE RECORDER: Where did you go on the Sunday? A. To the same establishment.
- Q. The chemist's shop, presumably, would be shut? A. At all times it was possible, if there was a meeting on, to go through the shop, as the door was left unlatched.
- Q. Where did you find the woman whom you bought the tickets from? A. She apparently helps Mrs. Homer.
- Q. Where did you find her? A. In the waiting room, my Lord.
- Q. What is her name? A. Mrs. Taylor.
- MR. ELAM: Don't say what was said, but had you made any communication to anybody on the Saturday about this matter? A. I did mention it to a friend of mine, sir.
- Q. Anybody in an official capacity?
- THE RECORDER: The police, for instance? A. About the Sunday meeting?
- MR. ELAM: No, before the Sunday. Had you been to the police on the Saturday? A. Yes, I went down on Saturday morning.
- Q. You had been on the 14th, and you had been to the police on the 15th, and then you went back on the 16th? A. Yes.
- THE RECORDER: Did you return on the 16th on your own initiative or on police instructions? A. On police instructions, my Lord.
- MR. ELAM: Did you go upstairs to the same room that you have already described? A. Yes, sir.
- Q. Was Mrs. Duncan there? A. Yes.
- THE RECORDER: How did you know what time to go? A. The meeting was arranged for three o'clock in the afternoon.
- Q. When was it arranged? A. Some time previously. On other evenings they sold tickets for this particular meeting at the shop.
- Q. You went on chance, did you? A. No, my Lord; I had purchased two tickets for this; I had thought of taking a friend with me, but I went on my own.
- Q. You paid on the 14th? A. Yes, my Lord. I had intended to go on the Sunday.
- Q. Then you bought your tickets on the 14th, did you? A. Yes, my Lord, in the afternoon.
- MR. ELAM: You knew, when you left the meeting on the 14th, that you were going to be at another meeting held on the 16th? A. Yes.
- Q. You say Mrs. Duncan was there; was Mrs. Homer there? A. Yes.
- Q. Was Mr. Homer there? A. Yes.
- Q. And Mrs. Brown? A. Yes.
- Q. Any other people? A. No, sir. This time it was an ordinary meeting, the blackout was down, daylight came through the windows; all the chairs were arranged in rows across the room, so that we were facing the room.
- Q. Were the curtains still there? A. Yes, they were behind us.
- Q. You had turned round the other way? A. Yes.
- Q. And daylight was coming into the room? A. Yes.
- Q. Was Mrs. Duncan on the platform? A. Yes.
- Q. What did she do? A. She stood up after the meeting had been opened by Mrs. Homer, and in Albert's voice delivered a sort of sermon.
- Q. Did she look normal? A. She just stood there with her white clothes on, sir.
- Q. How had Mrs. Homer opened the meeting? A. She sang a hymn, and she said a prayer, and we joined in the Lord's Prayer.
- Q. What did Mrs. Duncan speak about? A. The gist of her delivery was to the effect that we should aspire to more spiritual things, and in the middle of this she suddenly stopped and looked down towards her right

hand and said, "A little girl has just got hold of my hand; her name is Audrey. Now she has run down the room to the gentleman sitting at the end of the row at the back, and she is standing by him", indicating a man I know as Mr. Barnes.

Q. Who was at the back? A. Yes, sir. Mr. Barnes looked up and said in a rather puzzled voice, "My daughter's name is Shirley, not Audrey". And Mrs. Duncan said, "I'm sorry; I made a mistake. I should have said Shirley; I got the name wrong."

Q. When Mrs. Duncan said, "A little girl has grasped my right hand", how was the hand at that time? A. Down by her side as if she was indicating that a small child was standing by her side.

Q. Could you see anything? A. Nothing at all, sir.

THE RECORDER: This man Barnes referred to his daughter in the past tense, did he? A. Oh, yes, my Lord; they knew that he had lost a daughter some time ago.

Q. And his daughter's name had been Shirley? A. Yes, my Lord, not Audrey.

MR. ELAM: Did Mrs. Duncan say or do anything else in particular on that Sunday? A. Nothing that impressed me very much. At the end she just opened her eyes and rolled them round and sat down.

Q. Was there a chair on the platform? A. Yes, behind her.

Q. Did Mr. Homer say anything in particular? A. Nothing that I can remember.

Q. Or Mrs. Homer? A. Nothing unusual.

Q. Or Mrs. Brown? A. Mrs. Brown stood up and appeared to bring messages from departed spirits to members of the audience by saying that she could see various people for them and asked them if they recognised what she was talking about, and in the middle of this she knocked a small object from the desk and said, "Don't worry about that; this is my spirit guide. If he pulls my hair down don't take any notice; he often plays about like this".

Q. What object did she knock over? A. I don't know; it was some small object in the desk in front of her.

Q. Was she on the platform? A. Yes, sir, and she was talking to one member of the audience, and she said, "I have a message from a naval person for you because I have just been given this brooch", and she held out a brooch in her hand that was shaped like a ship.

Q. Did you touch it? A. No, sir; but I could see that it was a brooch.

Q. Do you know what happened to it? A. No, sir. She just kept it.

Q. Did her hair come down? A. No, sir.

Q. Does that, subject to my friend, cover the Sunday? A. At the end of the meeting Mrs. Brown came across to me and stopped me at the door and asked me how the doctor felt about it.

Q. He was not with you then, but he had been on the 14th? A. Yes, sir. It seemed to me that they were not sure that the doctor was convinced.

Q. What did you say? A. I said, "Oh, you don't have to worry about the doctor; he believes it." And she seemed quite contented.

Q. Then did you leave? A. Yes.

Q. Having been there on Sunday the 16th, on the Monday, which would be the 17th January of this year, did you communicate again with the police? A. Yes, sir.

Q. With Inspector Ford? A. Yes.

Q. Did you go to Copnor Road on that day, Monday the 17th? A. Yes.

Q. After you had seen the police? A. Yes.

Q. Did you make a further booking? A. Yes, sir.

Q. How many seats? A. Two.

Q. For when? A. For Wednesday the 19th.

- Q. How much did you pay on that occasion? A. I did not pay then; I paid on the evening of Wednesday.
- Q. When you got there? A. Yes.
- Q. On the 19th? A. Yes.
- THE RECORDER: What price? A. 25s. for the two seats.
- MR. ELAM: That is 12s. 6d. each? A. Yes.
- Q. Who was going with you on the 19th? A. War Reserve Cross.
- Q. Is he a police officer? A. Yes.
- Q. Not the doctor? A. No, sir.
- Q. Whom did you actually pay the 25s. to? A. To Mr. Homer.
- Q. In the house? A. Yes, in the kitchen at the back of the shop.
- Q. What time was the meeting going to be on Wednesday the 19th? A. Seven o'clock in the evening.
- Q. Did you attend at that time and place? A. Yes.
- Q. With police officer Cross? A. Yes.
- Q. Did you go upstairs to the same room? A. Yes, sir. We were checked off again by Mr. Homer.
- Q. Which way were the chairs facing? A. They were arranged as before, but there were three rows this time.
- Q. Facing towards the curtains in the corner? A. Yes.
- Q. Were there names on the seats of the chairs where you were to sit? A. Yes.
- Q. Did you sit down where your name was? A. Yes.
- Q. Did Cross? A. Yes.
- Q. How did you sit in relation to Cross? A. Cross was on my left. He was sitting immediately behind Mr. Homer, who was sitting approximately in the same place that he had occupied the previous time.
- Q. That is in the front row? A. Yes.
- Q. You and Mr. Cross were in the second row, behind Mr. Homer? A. Yes.
- Q. About how many people were there? A. I should say about thirty.
- Q. Was Mr. Homer there? A. Yes.
- Q. Mrs. Homer? A. Yes.
- Q. Mrs. Brown? A. Yes.
- THE RECORDER: Homer, you said, was in the front row? A. Yes, my Lord.
- MR. ELAM: I think you said in front of Cross? A. Yes.
- THE RECORDER: Where was Mrs. Homer? A. She was sitting near the wall against a door.
- Q. The same as before? A. Yes, my Lord.
- MR. ELAM: Mrs. Brown? A. Mrs. Brown was standing in the back row all the time; that was the third row, immediately behind Cross and myself.
- THE RECORDER: There were only three rows of seats? A. Yes.
- Q. Was there a space for people to stand behind them? A. Yes.
- Q. And she was standing in the third row? A. Yes.
- MR. ELAM: Was there anyone behind? A. I believe there were some people behind.
- Q. Was the blackout drawn? A. Yes.
- Q. Were there lights on? A. The green light was not alight at this time.
- THE RECORDER: What time was this?
- MR. ELAM: Seven p.m., my Lord.
- THE RECORDER: What time was the first meeting, the one on the Friday?
- A. Three o'clock.
- Q. In the afternoon? A. Yes.
- MR. ELAM: The meeting on the 14th was at a quarter to three, the Sunday meeting was at three, and the Wednesday one was at seven.
- THE RECORDER: Thank you.
- MR. ELAM: Was Mrs. Duncan there? A. At this stage we had not seen her.
- THE RECORDER: Tell us in your own language what happened? A. A similar

procedure to the previous meeting, my Lord. The clothes were passed round and we searched them.

MR. ELAM: Was the cabinet searched? A. Yes, sir; and one man was so inquisitive as to ask Mrs. Homer to rip off the hessian underneath the removable leather seat, which she did, and we sat down. The three ladies were asked for. Mrs. Homer asked for three middle-aged ladies to come out and dress Mrs. Duncan.

THE RECORDER: I don't think you need repeat all you told us before. Tell us something fresh.

MR. ELAM: What happened after the preliminaries? A. The guide, after he had introduced himself, said he had a form for a lady who had passed over some time ago; would somebody claim her? And a sailor said he had lost his mother when he was a baby. Mrs. Brown said, "Speak up, son; it might be for you"; so he said, "Is it for me?" and the guide's voice said, "That's the voice", and he said, "Come out, please, mother", and a form appeared between the curtains with outstretched arms, and Mrs. Brown immediately said, "Look, she has a baby in her arms". I saw no baby.

Q. Did there appear to be anything between the arms? A. Nothing at all, sir, and Mrs. Brown said, "Yes, look."

THE RECORDER: Mrs. Brown said, "Look, she has a baby"? A. "In her arms", yes. And the figure said, "I didn't take the baby with me". Mrs. Homer repeated in a loud voice for everyone to hear, "She didn't take the baby with her", and then the form disappeared.

MR. ELAM: What colour was the form? A. A white shrouded figure, the same as the others.

Q. A large figure of apparently the same size? A. Yes.

Q. What sort of voice was it? A. It was a woman's; it was intended that we should believe it was a woman. She said in a very faint sort of voice, "I didn't take the baby with me", like that.

Q. Then what happened? A. The sailor sat down.

Q. And then? A. Another figure appeared, more or less by the same methods, and retired, and, soon after someone had called out the third one, Cross pushed over the chair in front of him and leaped upon the platform.

Q. Before Cross jumped up, had anything come out between the curtains of the cabinet? A. Yes, the white shrouded figure stood there between the curtains.

Q. As before? A. Yes.

Q. What happened? A. He grasped this figure and held it, and I produced a torch and flashed it on the scene and saw Mrs. Duncan trying to get rid of a piece of white material which she was trying to throw down to the floor.

Q. What sort of material? A. It looked like flimsy cloth, as a matter of fact.

Q. How much of it was there? A. I should say two or three yards, sir, enough to cover a person from head to foot and perhaps a bit to spare.

THE RECORDER: Did you see her trying to get rid of it? A. Yes, and, as I went forward to assist Cross, someone knocked down my torch, and I saw the cloth fall to the floor in a little heap.

MR. ELAM: Did your torch go out? A. No, it didn't go out. Someone tried to knock it out of my hand, and it focussed away from the scene. As I brought it back on to the scene somebody pulled the cloth into the audience out of Cross's hand, who was trying to grasp it.

THE RECORDER: On which side of you was Homer sitting? A. Mr. Homer, my Lord?

Q. Yes. He was in the front row? A. He was in the front row a little to my left.

Q. In which direction was the clothing pulled? A. Towards the bay window.

Q. Was that towards your left? A. That was towards my left.

Q. You don't know who it was? A. No, my Lord.

MR. ELAM: Do you know what happened to it? A. I went up and asked Cross if he was all right, and he said yes.

THE RECORDER: I thought you said Cross had got hold of the figure? A. Yes, he had got hold of her. He leant over with his left hand and tried to grasp the cloth, which was pulled out of his hand, and he said to me as I got up to him, "Did you get the cloth?" and I said, "No, it has gone into the audience," and Mrs. Duncan said, "Of course it has gone; it had to go somewhere". She did not deny that it was a cloth.

MR. ELAM: Were there any lights on, other than your own torch? A. No, sir.

Q. Had the torches been collected at the beginning of this meeting, as previously on the 14th? A. No, sir. Mrs. Homer leaned over at the beginning of the meeting and said, "I am instructed to ask people to hand over their torches. There must be no flashing of torches as it might be injurious to the medium".

Q. But you kept yours? A. Yes.

Q. What happened after that? A. I saw Mrs. Duncan standing there in her bare feet, bending down trying to put her shoes on; she was not in a trance.

Q. Where were her shoes? A. Behind her on the floor. She did not seem a lot distressed at this time; she seemed very intent on getting her shoes on and, soon after that, she started screaming and yelling that she was ill and wanted a doctor, and there was rather a pandemonium at the time. I said, "Keep quiet, everybody, and keep your seats", and I blew my whistle, which was the signal for Inspector Ford to come into the room.

Q. Did he come in? A. Yes.

Q. Had that meeting been opened in any way? A. Yes, by the Lord's Prayer, and we joined in with them.

Q. Who led the opening of the meeting? A. Mr. Homer.

THE RECORDER: He opened with prayer, did he? A. Yes, my Lord.

Cross-examined by MR. LOSEBY.

Q. I cross-examined you very shortly down at Portsmouth, Mr. Worth, did I not? A. Yes.*

Q. Do you remember that I was anxious to know about your first contact with the Portsmouth police? A. Yes.

Q. And you impressed upon me that you had not been a spy, or anything in the nature of a spy, at Copnor Road? A. Yes, sir. I beg your pardon, as a spy for the police. I was spying on my own account, if you prefer to call it spying.

Q. You did not have the frankness to go on and explain that to me. A. You did not ask me if I was spying for myself.

Q. You did not tell me, "No, I was not spying for the police, but I was spying on my own account"? A. If you prefer to call it spying.

Q. Do you not think it is a pity you did not explain that to me? A. No, sir.

Q. When did you start spying on your own account? Tell me approximately. A. If you still call it spying.

Q. I did not use the term; you used the term. A. You put it into my mouth and I used it. I prefer to say I decided on the afternoon of the materialisation seance that I had been defrauded, and I wanted to satisfy myself I had been defrauded. Before that I had gone to these meetings with a perfectly open mind.

Q. You had gone as a completely honest investigator for the purpose of learning

*This refers to the police-court proceedings, at which the prosecution witnesses gave their evidence, and the defendants were committed for trial.

or instruction? A. Yes, sir. I was curious to know what Spiritualism was.

Q. That and no more? A. Absolutely, sir.

Q. I do not quite understand for the moment why it was necessary to tell so many lies even after the 14th. A. I do not understand you, sir.

Q. For example, when you told Mr. Homer that you thought it was amazing, you intended to convey amazingly good? A. Did I?

Q. What? A. No, sir.

Q. What did you mean to convey to him when you said you thought it was amazing? A. Well, sir, don't you know what 'amazing' means?

THE RECORDER: Don't ask counsel questions. A. I was just amazed; I did not know what to think of it.

MR. LOSEBY: Then at that time, that being the 15th, you did not know what to make of it? A. That is correct.

Q. In spite of the fact that you had already contacted the police on the subject, because I understood you to say you contacted the police on the 15th? A. That is correct, sir.

Q. And so, although you had contacted the police on the 15th, you had not made up your mind what to make of it? A. By the time I had gone to the police I had decided I had been swindled.

Q. So, in between seeing Mr. Homer and going to the police, your mind had, as it were, consolidated against Mrs. Duncan? A. Yes, sir.

Q. When was it that you saw Mrs. Brown? Do you remember telling her that you thought it was amazing? A. I do, sir.

Q. When was it you told her that? A. Immediately after the meeting.

Q. Immediately after the meeting on the 14th? A. Yes, sir.

Q. Immediately after the meeting on the 14th you did not know what to make of it? A. I was very, very doubtful about the whole thing.

Q. I am going to check your veracity. Immediately after the meeting on the 14th did you think it was amazing? A. I have already said so.

Q. It would not have been amazing at all, would it, if it had been merely Mrs. Duncan with a sheet over her head? A. It would, sir.

Q. Still amazing? A. I should jolly well say so, sir.

Q. Just give me your answers; don't trouble about anything else. When was it Mr. Homer asked you about the doctor? A. Asked me what about the doctor, sir?

Q. You told us of a conversation. You said, "You need not trouble about the doctor". A. Mr. Homer never asked me anything about the doctor.

THE RECORDER: That was Mrs. Homer? A. Mrs. Brown, sir.

MR. LOSEBY: You said, "You need not trouble about the doctor; he believes it". Is that correct? A. Yes.

Q. True? A. That was not true, sir, but that was what I said.

Q. Where do you live in peace time? A. I live with my parents.

Q. Where is that? A. At a place called Ashford in Middlesex.

Q. Do you know the Lock family, or any of the Lock family? A. Where, sir?

Q. Southsea, Portsmouth? A. No, sir, I cannot say that I do.

Q. I would be very much obliged if you would think, because they are witnesses in this case and, quite frankly, I suggest to you that you know them very well? A. I am sorry to disappoint you, sir.

Q. Did you meet any of them at Spiritualistic meetings? A. I didn't know at the time, but I understand now that the Locks did attend a meeting there, simply because they are witnesses in the case.

Q. Did you know a son of the family? A. I never met a son.

Q. He seemed to know you? A. He may do so, sir; a lot of people know me.

Q. Have you seen the Locks at all about this case or spoken to them about it? Have you ever discussed the matter with the Locks? A. I have only

made casual remarks to them, sir, being in their company at times when it was necessary for us to gather for such proceedings as these.

Q. Had you met them as far back as December, 1942? A. I do not remember anyone of that name, sir, in December, 1942.

Q. At that date had you decided to bring about the downfall of Mrs. Duncan whom you had never met? A. At what date, sir?

Q. December, 1942?

MR. MAUDE (to Mr. Loseby): You mean 1943.

MR. LOSEBY: I am sorry. In December, 1943? A. In December, 1943, I had quite an open mind about the whole business.

Q. Answer my question if you can. Had you, by December, 1943, made up your mind to bring about the downfall of Mrs. Duncan if you could? A. No, sir.

Q. Had you told any of the Lock family, for example, that you had been going to Copnor Road as a *bona fide* seeker in Spiritualism? Or anything like that? A. In December, sir?

Q. In December, 1943? A. No, sir. I had never spoken to any Lock, as far as I can remember, in December.

Q. It would be very libellous to suggest, would it not, that even before you had seen Mrs. Duncan you were working in the direction of a summons being taken out against her? Just think for a moment. There may be an explanation. A. I am trying to follow you, sir, but I am afraid I can't.

Q. I will put this to you. Would you be surprised to know that bets were being offered in Oxford in the first week of January, 1944, that a summons would be taken out within fourteen days against Mrs. Duncan, and that you, Worth, were concerned in it? A. I should be very surprised indeed if I heard anything about that, because it is untrue as far as I am concerned.

Q. Will you tell me this? Perhaps you have got an explanation. How would a Mr. Lock, working in Oxford, even know your name? A. I don't know, sir.

Q. Did you tell anybody that you were doing a little investigation work on your own account at Copnor Road? A. I was not investigating at that date, sir.

Q. Can you throw any light upon it? You tell me you cannot throw any light upon it. Cannot you help me as to how it is that Mr. Lock of Oxford knew your name at all? A. May I finally say, sir, that I know nothing at all about Locks at Oxford.

Q. By the bye, have you had any opportunity of going through the proofs of evidence in this case? A. No, sir.

Q. Did you know they were giving evidence? A. Only through meeting them.

Q. There are three of the Lock family concerned, Mr. Lock, Mrs. Lock and Mrs. Harris. A. I don't know Mrs. Harris; I know that there were some people called Lock giving evidence, and that is all I know about the Locks.

Q. I am really making a serious suggestion. A. I know you are, sir.

Q. At any rate, tell me this. You were a special policeman before the war, weren't you? A. Yes.

Q. For six months? A. For six months.

Q. Where was that? A. At Harlington, Middlesex, in the Metropolitan Police.

Q. Were you connected with the police force anywhere else? A. No, sir.

Q. Were you by any chance particularly interested in police matters? A. No, sir.

Q. Would you know about the Vagrancy Act, and the connection between mediums and the Vagrancy Act? A. No, sir.

Q. You cannot explain to me how it comes about that it was being stated in

Oxford in the first week of January, 1944, that a summons would be issued, or probably would be issued, against Mrs. Duncan within a fortnight?
 A. Perhaps someone else suspected her, sir. I know nothing about it.

Q. That is not the point. It is the connection of your name with it. A. I am afraid I know nothing at all about it; I never heard of it until this very moment.

Q. Do you swear you do not know a son of the Lock family? A. I would, sir. I may have seen him, but I would not know his name as Lock. I may have seen someone there who knows him, but I cannot say that I have ever been introduced to a young man who is a son of the Locks.

Q. You did this Spiritualism business very thoroughly, did you not?
 A. Did I, sir?

Q. You joined a development circle? A. Yes.

Q. Was that honest and sincere? A. Absolutely. I was doing my utmost then to understand what Spiritualism was, and I had no more intention of exposing anyone than I have of trying to avoid coming to this court.

Q. Not even Mrs. Duncan? A. I did not know her then.

Q. Did you not know her by repute? A. When Mr. Homer told me that Mrs. Duncan was coming I was extremely interested, and I said I would like to go and see her.

Q. Do you seriously tell me that you did not even know her by repute? A. I had never heard of her before, sir.

Q. So you were genuinely interested in the subject? A. Yes.

Q. As a matter of fact Portsmouth was very interested in the subject, particularly so, was it not? A. I don't know.

Q. By reason of the visit of Air Marshal Lord Dowding? A. Mrs. Homer told me that he wanted to come; that was all I knew about that.

Q. You would know that Air Marshal Lord Dowding had created a great impression in Portsmouth by his assertions that he, Lord Dowding, had contacted a large number of airmen supposed to be dead but not dead. You know that? A. I don't know that.

Q. Then I will not follow it up through you.

MR. MAUDE: Was that through Mrs. Duncan?

MR. LOSEBY: No. (*To the witness*) You did worm yourself thoroughly into the confidence of Copnor Road, did you not? A. I just went there; I did not intend to seek anyone's confidence at all.

Q. Did you gain some knowledge on the whole subject of Spiritualism, whether you agreed with it or not? A. Yes, sir.

Q. And theories as to the universe? A. Well, broadly speaking.

Q. And this world being intertwined with another world? A. I had not had it described to me in that way.

Q. You will see the relevance of it in a moment; theories as to the make-up of the human body, just two bodies, a physical body and, for want of a better name, an etheric body? A. All I understood was this: that while one was alive on this earth one's body and soul were together, and the moment one died or passed over, as you call it, one's spirit left one's body, leaving the earthly covering on this earth, and the spirit went somewhere else.

Q. I am on this subject of public mischief: I want to know how much you knew or believed. Upon the destruction of the physical body the other body will survive; call it the spiritual body. Would you understand that that was their theory? A. Yes.

Q. And that under certain circumstances persons normally supposed to be dead could communicate? A. I was told that.

Q. Not only communicate, but could make themselves visible? A. Yes, sir.

Q. With the aid of persons called materialisation mediums? A. Yes, sir.

- Q. And you would know that materialisation mediums are very rare; not half a dozen in England. Would you know that? A. No, I don't know that, sir.
- Q. Would you know this—this is only to judge your demeanour—that there were strict rules governing the use of materialisation mediums? Would you know that? A. I have never been told that.
- Q. I thought you said you had been told that in the court below, several times? A. Told what, sir?
- Q. That there were strict rules governing their use? A. Do you mean laid down?
- Q. Yes? A. By whom?
- Q. For example, that you must not suddenly switch on a torch? A. Yes, I have been told that, but I did not know it was a strict rule.
- Q. Whether it is true or not, were you told that a materialisation medium takes her or his life in their hands every time that he or she sits? A. I had been told that.
- Q. Had you been told that one of the best materialisation mediums recently was totally blinded by a sudden interference when he was in trance? A. No, sir.
- Q. You did not know that? A. No, sir.
- Q. Did you know that materialisation seances only had one main point? A. Such as what?
- Q. To provide proof of continuity of life and survival. Had you been told that? A. I do not think I had been told it like that.
- Q. That that was the main and almost the only purpose? You would know, would you not, that there are many other kinds or types of mediums? A. I know there are a lot of mediums, sir.
- Q. Do you also know this? The theory that the person already there, the entity, whatever you care to call it, was only enabled to render himself visible through emanation from the body of the medium—that was the function of the medium? A. I had been told that ectoplasm comes from the body of the medium and forms the shape of the spirit.
- Q. Really, that out of this ectoplasm in some way or another the person supposed to be dead but not dead makes himself or herself visible? Would that be a fair way of putting it? A. If you wish, sir.
- Q. I just wanted to know how much you knew. By the 14th did you consider that you had made yourself a competent observer? A. I should imagine so, sir.
- Q. You think you were a competent observer, although you had never been to a materialisation seance before? A. No, sir.
- Q. You had never been before? A. No, sir.
- Q. You may possibly be able to help me on this. You have been to two now, have you not? A. Yes.
- Q. Do you think it is just possible that, if you had familiarised yourself a little more with the circumstances and the kind of thing you might expect to see, that you would be a still more competent observer? A. I think so.
- THE RECORDER: It is rather speculative, is it not, Mr. Loseby?
- MR. LOSEBY: Yes, my Lord, I will not pursue it. (*To the witness*) Anyway, on the 14th do you think that you were sufficiently competent to either approve Mrs. Duncan as a genuine sitter, or on the other hand to denounce her? I want to know your own views of yourself as an observer. A. I was ready to believe something which I personally considered was a genuine thing with regard to this business; but what I saw convinced me eventually that it was not true.
- Q. Anyway, the shock came on the 14th? A. Yes.
- Q. And you came to the conclusion that Mrs. Duncan was a fraud? A. I did, sir.

- Q. Did you inform any of your old friends with whom you had conducted a genuine investigation that you had come to the conclusion that Mrs. Duncan was a fraud? A. My old friends?
- Q. Yes, your old friends of Copnor Road, your old friends of the development circle; did you inform any of them? A. I may have mentioned that I did not believe it.
- Q. Did you mention it, or did you tell them the precise opposite? A. I can remember talking to some people about what I had seen inside and what I thought about it, but I cannot tell you who they were. They were just people standing around and more or less looking inquiringly at me wondering what I thought of it.
- Q. Tell me one person among your friends whom you told that not only did you think Mrs. Duncan was a fraud, but that you had denounced her to the police? A. I never said that to anyone.
- Q. Did you tell anybody that you had come to the conclusion that she was a fraud? A. Yes, sir.
- Q. Who was that? A. I don't know; some people who were standing around.
- Q. Was it the Locks? A. I couldn't say who it was.
- Q. Was it Mrs. Harris? A. I don't know who they were.
- Q. On the 14th Mrs. Duncan's guide told you, so you say, that you had a sister prematurely born? A. Yes.
- Q. Is that right? A. Yes, sir.
- Q. You said at the time that that was not true? A. Yes.
- Q. How did you know it was not true? A. I have a good knowledge of our family affairs.
- Q. I thought you said you had inquired later whether it was true or not? A. So I did, sir.
- Q. How did you know at the time? Forgive me, I find it hard to understand a mother discussing with her son a prematurely born daughter. Had she ever done that? A. I knew if anything like that happened in our family my mother is sufficiently broad-minded to let us know about it. She would not for any reason hide it.
- Q. Did you go to the meeting on the Sunday? A. Yes.
- Q. Did you see Mr. Homer there? A. I did.
- Q. Did you have this conversation with him? Did you say to him, "Hullo, Mr. Homer; what do you think? You remember Albert requesting me to confirm his statement that I had a prematurely born sister in spirit. I was so anxious that I phoned my mother that very night, and she said that it was true"? Do you remember saying that? A. Acting on police instructions I said that.
- Q. Acting upon police instructions? Did I not understand you aright? I thought you told me that you had not told any lies. Why did you tell that lie? A. I considered that I had been misled quite enough by Mr. Homer; it would not hurt him to serve him with some of his own medicine.
- Q. Did you ring up your mother? A. I could not ring up my mother, sir; we are not on the telephone.
- Q. How did the police know anything about this incident of the daughter prematurely born? A. I had already told the police of my suspicions.
- Q. And you say the police told you to tell Mr. Homer that you had rung up your mother and found that it was true? What point could there be in it? A. The police could tell you that, sir.
- Q. You gave me the impression of being—
- MR. MAUDE: No, please.
- MR. LOSEBY: I was only going to say this. Are you not sufficiently astute yourself? A. Whatever I may have caused, sir, I am not worrying.
- Q. At any rate you did say that? A. I did say that.

- Q. Now as to the method of the guide: I want to talk to you of the 14th. You have deliberately painted a picture to the jury, have you not, of what happened on the 14th? A. I have described what happened on the 14th.
- Q. I am coming to this. Have you laid yourself out to give a picture of the sordid, the blatant and the obvious? Is that the impression that you sought to give? A. I gave my impression.
- Q. You did give your impression? A. Yes.
- Q. I am coming to that in a moment. Now with regard to the method of the guide. Was it the method of the guide first of all to announce an entity who wished to contact someone in the room? That was the first matter? A. Yes.
- Q. "I have someone here who wishes to speak to somebody." Is that right? A. Yes.
- Q. Then secondly, did he give the last bodily condition of the living? A. Yes.
- Q. And then he asked anybody to whom that description applied to speak up? A. Yes.
- Q. And he said that the sound of the voice of the person answering helped him? A. Yes.
- Q. Sometimes he said, "Yes, that is the right person"; and sometimes he said, "No, that is not the right person"? Is that so? A. I don't know, sir. I only heard him say, "That's the voice", if the right person spoke up. He did not say anything if other people spoke.
- Q. You suggest that Mrs. Homer coached you? A. Yes.
- Q. You have been to two materialisation seances in your life. Is that right? A. Yes.
- Q. Even two seances would impress upon your mind the necessity of explaining to people how to get the best results? A. That is possible.
- Q. For example, were you advised, when you were told that there was someone for you, to speak correctly? A. I was told not to say, "Who are you?" because it was not fair to the spirit or for some reason or other.
- Q. Tell me what you were to say? A. I was to say, "Is it for me?"
- Q. Were you advised to be courteous in every respect? A. That advice was not necessary.
- Q. To let the visitor know that you welcomed his or her presence, common sense and good manners would indicate all that, would they not? A. I imagine so.
- Q. Were you told this: if what was told you was true, you would, of course, in truth and in fact be being visited by a spirit from the other world? A. If what was told me was true.
- Q. Were you told that to get the best results you must co-operate? A. I was told to that effect.
- Q. Did you co-operate? A. I went in with the utmost faith that I could muster.
- Q. Did you co-operate? A. I co-operated in every way that I thought was possible.
- Q. Did you co-operate, or did you go there determined not to see, and to misrepresent? A. At the first meeting that I attended I went in with as much faith, and I tried to believe—
- Q. Let us see.
- MR. MAUDE: Let him answer.
- THE WITNESS: And I decided when I was there I did not know what to expect, and anything I saw I would use my own common sense [about], and, if I decided it was true, I would believe it.
- MR. LOSEBY: You were told that someone wished to show herself to you? A. I was, sir.
- Q. Did you believe that? A. Yes.

- Q. Then did you use these words, "Are you my auntie?" A. No, sir, I said: "Are you my aunt?"
- Q. And you knew that you had not got an aunt? A. Well, I didn't know what to say, sir. They said a female, and I knew I had no female that died.
- Q. Have you thought of that? Did you intend to be insulting? A. No, sir.
- THE RECORDER: Neither of you need raise your voices; we can all hear.
- MR. LOSEBY: Did you intend to be insulting? A. No, sir.
- Q. It would be insulting, wouldn't it, if you had said under those circumstances to somebody who had picked you out, "Are you my aunt?" when you knew you had not got one? A. She had only to say, "No", and she would not have been insulted.
- Q. As a matter of fact, what follows is not what you say, is it? A. What is that, sir?
- Q. You do not overlook the fact that there were several other people present, do you? A. No, sir.
- Q. It was the figure of an old lady, was it not? A. I couldn't say; it was just a white shrouded shape.
- Q. Which came out of the cabinet? A. Yes.
- Q. Did the figure appear distressed? A. No.
- Q. And merely replied, "You are being strange," or words to that effect, and then immediately disappeared? A. Not this afternoon, sir.
- Q. I tell you frankly, Mr. Worth, I don't know how clear your recollection is. A. I am very clear on it, sir.
- Q. I tell you frankly that several witnesses will say that that is what happened? A. I know what I heard.
- Q. That the reply was, "No", but it was in a distressed voice. "You are behaving strangely" or "You are being strange"; that, and nothing more? A. I said, "Are you my aunt?" and the figure replied, "Yes", in a husky voice and disappeared into the curtains, and I am convinced that that is all.
- Q. You see, there are two very different versions? A. Yes.
- Q. Do you say you saw a figure come right out? A. I did not say I saw a figure come right out.
- Q. You saw an arm come right out? A. No, sir; a figure stood between the curtains.
- Q. Did you see anything come right out? I am on the uncle incident now. A. How do you mean, did I see anything come out?
- Q. Anything physical come right out? A. When this uncle, or who said he was my uncle, saluted, I definitely saw the arm go up like that and come down again.
- Q. I suggest to you that what happened was something entirely different. A. You may say so, but I am convinced that I know what it was.
- Q. I am only putting to you the evidence that will be given, that it was announced that there was someone for you, that it was a sailor; you failed to reply at all, and nothing ever materialised, or appeared to materialise. A. That must have been another meeting.
- Q. I am putting to you that that was the incident, and the only incident. A. I cannot agree with you.
- Q. I am bound to put it to you that this story of your uncle is a complete invention, just as the story of your aunt and saying she was your aunt is also an invention? A. I believe my ears, sir, and I believe I see correctly.
- Q. Have you a great-aunt, by any chance? A. I might have several great-aunts; I don't know.
- Q. Was every materialisation apart from your own claimed by someone or other on the 14th? A. A lot of people were doubtful but, prompted by Mrs. Homer, someone eventually got up.
- Q. I know you put that very ably on each occasion; I am only asking you,

- was every materialisation apart from your own claimed by someone or another? A. Well, sir, I cannot say that they did it on their own account; they did it after being prompted, Had there been no one there to encourage them to stand up, I suppose half of them would have stood up.
- Q. Before I prompt you, do you think that you have given enough details to give a reasonably fair picture of what happened on the 14th? A. I gave all those that I can remember, and those that I cannot remember are those that I considered unspiritual.
- Q. I put it to you that the lady, so far as you were concerned, came right out of the cabinet? A. Which lady?
- Q. The lady to whom you put the question, "Are you my aunt?" A. She came between the curtains, partly outside; she never came right out.
- Q. I put it to you she came right outside the cabinet? A. I deny that.
- Q. She was observed to be a little old lady. What do you say about that? A. Well, sir, I defy anyone to say that she was a little old lady, because it was so dark you could hardly see anything at all; and all I could see was this shrouded figure which did not look anything like an old lady.
- Q. Is your eyesight bad? A. No, sir, I can see as well without my glasses as with them.
- Q. You do admit it is entirely a question of eyesight and hearing? A. If you would prefer my eyesight to be tested, sir—
- Q. In regard to Peggy, or the person who said she was Peggy, did you say this in the court below: "A white form came out from the curtains"? A. Yes.
- Q. Then later you said: "Peggy said, 'I am going down now' and went back into the curtains"? A. Yes.
- Q. Those are the words you used? A. Yes.
- Q. So Peggy came out from the curtains and later went back into the curtains. There is no doubt about that? A. The curtains parted as she came out, and they parted as she went in.
- Q. She came right out and then went back? A. Yes.
- Q. And Peggy has got a high pitched voice: is that right? A. Yes.
- Q. And a very girlish form? A. I beg your pardon, sir, no.
- Q. I know, Mr. Worth— A. No, sir, definitely not.
- Q. I shall deal with that; I shall call evidence of Peggy having been seen twenty or thirty times. Do you still persist? A. I know what I saw, sir, and I saw quite a bulky figure.
- Q. You saw a bulky figure—let me see what it is exactly—come out from the curtains. Do you mean you saw Mrs. Duncan coming out from the curtains? A. I did not say that, sir.
- Q. But you were suggesting, were you not, when you told me of a bulky figure, that the bulky figure was Mrs. Duncan; or did I misunderstand you? A. I did not mention any name.
- Q. No, no, but what did you mean? A. I said a bulky figure, and I mean a figure of large proportions.
- Q. Did I misunderstand you? Did you not intend the jury to think that you were suggesting that that bulky figure was Mrs. Duncan? A. I did not say anything of the sort.
- Q. Tell us quite plainly what you do mean? A. I say I saw a bulky figure come out of the curtains and then it went back again, and I do not know whether it was Mrs. Duncan or anyone else.
- Q. What were you intending to convey? A. I intended to convey that it was not a small girlish figure.
- Q. I am sure you understand me? A. I do, sir.
- Q. Did you not intend to give me the impression that you meant that bulky figure was Mrs. Duncan pretending to be Peggy? A. I intended to convey, sir, that the bulky figure I saw did not look like a small figure of a young girl.

- Q. Did it look like Mrs. Duncan with a sheet over her? A. It looked like a bulky figure with a white shroud on it.
- Q. Whoever it was, did it look like Mrs. Duncan, because apparently you say it came out from the curtains? A. I could not say who it looked like.
- Q. If you think it was Mrs. Duncan, do not spare me, do not hesitate to say so. A. It might have been, sir.
- Q. Looking back at it now, do you think it was Mrs. Duncan who came out from the curtains? A. It is possible, sir.
- Q. What? A. It is possible.
- Q. You think it was possibly Mrs. Duncan came out from the curtains and afterwards went back into the curtains? A. It is quite possible, sir.
- Q. It must have looked very ridiculous, because in this red light you had got people sitting right up to the curtains? A. It did look ridiculous.
- Q. In that red light it must have been very difficult for Mrs. Duncan to look like a young girl. How high was the figure? A. I should say about five feet.
- Q. When Mrs. Duncan did this was she stooping down? A. I do not know whether Mrs. Duncan did it, sir.
- Q. Whoever it was. Stand up, Mrs. Duncan. (*Mrs. Duncan rose.*)
- MR. MAUDE: Has she got shoes on?
- MR. LOSEBY: Did it look as if it possibly could be that woman with shoes on? A. It is possible, sir.
- THE RECORDER: Was there any difference in the height of those figures that appeared? A. Sometimes there was a little difference, my Lord, but it could easily have been overcome by stooping or standing up straight.
- MR. LOSEBY: Now let us take another figure, the lady who purported to sing in Welsh. A. Yes.
- Q. Did you hear two voices at the same time? A. Yes.
- Q. You said in the court below it may have been Welsh?
- THE RECORDER: I have not heard the witness say anything here about anybody singing in Welsh.
- MR. LOSEBY: I asked him if he had said in the court below, "It may have been Welsh."
- THE RECORDER: The jury and I have nothing to do with the deposition.* We do not know what was in it.
- MR. LOSEBY: I was only asking him; I do not know whether your Lordship thinks it is a proper question.
- THE RECORDER: I will try to follow it.
- MR. LOSEBY: I was asking him whether he said in the court below that it might have been Welsh. A. I did say that.
- THE RECORDER: When she was singing 'Loch Lomond,' do you mean? A. No, my Lord.
- MR. LOSEBY: It was a little old lady.
- THE RECORDER: A little old lady?
- MR. LOSEBY: Purporting to be a relation of Mrs. Homer's.
- THE RECORDER: Have you told us anything about that this morning? A. No, sir.
- Q. You did not tell us? A. No, sir.
- THE RECORDER: I cannot follow it, and of course the jury cannot, because we have not heard anything about Wales yet.
- MR. LOSEBY: It was someone who came there, purporting to be for Mrs. Homer? A. Yes.
- Q. Did whoever it was sing with Mrs. Homer? A. Yes.
- Q. In the court below, as to what she sang did you say, "It might have been Welsh"? A. Yes.

*The Depositions are the transcript of the various witnesses' sworn evidence at the preliminary hearing in the police-court, signed by them. The Court and counsel at the trial have copies.

THE RECORDER: You are speaking of the first seance, are you?

MR. LOSEBY: Yes, my Lord, on the 14th. (*To the witness*) Why did you say it might have been Welsh? A. Because somebody mentioned that it was Welsh, but I did not understand it.

Q. Two or three people mentioned it was Welsh? A. Did they, sir? I only heard one.

Q. Can Mrs. Duncan speak Welsh? A. I don't know.

THE RECORDER: Do you mean they sang a duet together in Welsh? A. Yes, my Lord, one on one side of the curtain and one on the other.

Q. They sang a duet, but you did not know the language? A. No, my Lord.

Q. Just a verse? A. That is what I gathered, my Lord; it was a song. I do not know how long it was.

MR. LOSEBY: Did someone appear who claimed to be Mrs. Allen on the 14th? A. Yes.

Q. Was she identified by Mrs. Cole? A. I do not know who identified her; somebody did.

Q. Somebody identified her? A. Someone did; someone said they knew her.

Q. On the 14th? A. Yes, sir.

Q. Did the same person appear in a different place, and was she identified by another person? A. Not on the 14th.

Q. With regard to Mrs. Barnes's father—the policeman incident—did Mrs. Barnes's father stand right outside the cabinet? A. The form came out from the left-hand side of the curtains and stood there.

Q. Did the form at any rate speak in a man's voice? A. I would not say it was a man's voice, sir; it was a husky voice.

Q. Did the figures come one after another with rather surprising speed, or was there a long pause between the various figures appearing? A. I would not say there were any particularly long pauses coming and going.

Q. I put it to you there was hardly any pause at all, or at most a very, very slight pause. A. As long as it would take for one to go into the curtains and another to come out.

Q. Whether Mrs. Barnes was right or wrong, she identified her father. Immediately after that, was there a baby figure come out? A. I cannot recollect it, sir.

Q. I put it as a child of three feet high, who was claimed by Mrs. Barnes as her granddaughter. Do you remember that childish voice? A. No, sir, I do not remember it.

Q. Did you not hear the same Shirley mentioned, Mrs. Barnes's granddaughter? A. On Sunday?

Q. No, I am talking about the 14th? A. The points that stick out in my mind are those I have outlined; I do not remember much about anything else.

Q. I put it to you that you saw, or could have seen, a baby form come right out of the cabinet and put her hand in Mrs. Barnes's hand? A. I do not remember seeing that.

Q. Do you appreciate that, if that were correct, that is something that should be told if one is to have a fair picture of the 14th? A. Absolutely, sir.

Q. With regard to Mrs. Sullivan, did someone purporting to be Mrs. Sullivan's mother come out, and was she identified by Mrs. Sullivan? A. I do not remember the name of Sullivan being mentioned.

Q. Do you remember somebody claiming that she could clearly see her own mother? A. I cannot remember that.

Q. I do not understand this, Mr. Worth. If you are purporting to give a fair picture of what happened, how could you fail to hear these things? I will take one more. There was a Wing Commander there, was not there? A. Yes.

Q. Do you know Mr. Mackie? A. No, sir.

- Q. Don't you know him? A. No.
- Q. Was he sitting fairly close to you? A. I don't know where he was sitting. I think he was somewhere on my left, but I would not be certain.
- Q. Mr. Mackie is a Wing Commander, and somebody purporting to be Mr. Mackie's mother not only came out but was identified by Mr. Mackie?
- A. I do remember that, sir.
- Q. That is rather important, is it not? And he conversed with his mother?
- A. Yes, sir.
- Q. Is that correct? A. Yes, he spoke to her.
- Q. What right have you to omit it? A. I beg your pardon, sir.
- Q. What right have you to omit that, when you were purporting to give an account of what happened? A. Well, sir, no one asked me about it.
- Q. A Service friend of Mr. Mackie's came out, did he not? A. I do not remember that.
- Q. Do you remember Mr. Mackie identifying his mother? Mr. Mackie seemed quite confident, did he not? A. I cannot remember what he said. I know he spoke to something, but what he said I cannot remember.
- Q. Immediately following on that, an old Service friend of Mr. Mackie's was identified by Mr. Mackie—I am talking of the 14th—was he not? A. I cannot remember.
- Q. He spoke to Mr. Mackie for some little time? A. He may have done, sir; a lot of things happened that afternoon.
- THE RECORDER: You do not recollect it? A. No, my Lord.
- MR. LOSEBY: Upon one occasion were the curtains thrown wide open and did Albert the guide say, "See Mrs. Duncan in her chair and myself together"? Did he say that, or words to that effect? A. The curtains were not thrown wide open; they were parted a short distance, and he said, "Mrs. Duncan and myself", and I only saw the figure of Albert.
- Q. Did several people exclaim that they could see those two figures at one and the same time quite clearly? A. They did, sir.
- Q. In order to get the picture right, let us take another incident, a brother of a man called Taylor Ineson? A. Yes.
- Q. Do you remember the name Jarvis? A. The form said its name was Jarvis.
- Q. Were the curtains again thrown wide open and were Jarvis and Mrs. Duncan also seen separately and apart one from the other? A. This form who was called Jarvis opened the curtains a little way and said, "There she is, in there", but I could not see anybody there.
- Q. Did several people exclaim, whether it was true or not, that they could see the two forms at one and the same time? A. I do not remember anyone saying that.
- Q. Under any circumstances, you had been to one sitting—that was the first materialisation seance you had ever been to, was it not? A. Yes.
- Q. And in spite of Mr. Mackie and in spite of Mrs. Sullivan and in spite of Mrs. Barnes, you decided to denounce her to the police? A. Quite right.
- Q. How old are you? A. Twenty-eight, sir.
- Q. You were taking a great responsibility on yourself? A. I used my common sense, sir.
- Q. Was there anything to prevent you consulting, before you denounced her to the police, older men—say, Wing Commander Mackie? A. I was quite satisfied with what I had seen.
- Q. You did not think it necessary to say to him, "Are you convinced whether that was your mother?" or "your friend?" A. It was not until after this meeting that I made up my mind that I had been swindled.
- Q. I only want to know what kind of mind you have got. Did you speak to a single one of the people who claimed to identify persons supposed to be dead but who apparently they thought were still alive? Did you



EXHIBIT 4: "SPIRIT PHOTOGRAPH" SHOWN BY MRS. BROWN TO
LIEUTENANT WORTH

(The shape at the top is supposed to be a "spirit extra" which had mysteriously appeared
on the photograph of two of Mrs. Duncan's sitters)



(Above) A "SPIRIT" PHOTOGRAPHED BY SERGEANT
TAYLOR

(Below) THE SAME ADDED TO EXHIBIT 4

speak to a single one of them before you denounced Mrs. Duncan and say, "Are you quite sure you have not made a mistake?" A. I had spoken to several people before this meeting about that, sir.

Q. I did not ask you that. I only want to know what kind of mind you have got. Did you speak to Mrs. Barnes? A. No, sir.

Q. You knew that Mrs. Barnes, at any rate, thought that she had seen her granddaughter.

THE RECORDER: Do you know what Mrs. Barnes thought or assumed, or anybody else? A. As far as I was concerned, my Lord, I considered they had been deluded.

Q. You did not discuss it with anybody before you left? A. I discussed it with the doctor.

Q. But apart from him, with nobody else? A. No, my Lord.

MR. LOSEBY: It would be plain to you that Mrs. Duncan, when you denounced her to the police, was just one of two things: either a great impostor or, from a scientific point of view, a very important person. Those would be the two alternatives, would they not? A. Quite possibly, sir.

Q. Anyway, you decided to denounce her. You would not attach much importance to the incident on the 16th, that is the Sunday, would you, when the child Shirley, the granddaughter of Mrs. Barnes, had been identified as Shirley on the 14th? The name Shirley had been given on the 14th. Do you remember? A. I do not remember that, sir.

Q. If that was so, it would follow, would it not, that, if Mrs. Duncan and Mrs. Duncan's guide were one and the same person, they would know the name of the child, namely Shirley? A. They ought to, sir.

Q. I put it to you the name Shirley was given several times on the 14th? A. I don't know, sir.

Q. Can you corroborate that? A. I don't know, sir.

Q. You decided to denounce Mrs. Duncan to the police. You must have had a theory, if you thought that she was a fraud, as to how the fraud was being perpetrated. How did you think it was being done, or had you not formed a theory at all? A. I had been told, sir, that this materialisation meeting was a spiritual meeting whereby good spirits were able to return through the person of this medium; that is, people who had lived a good life and behaved as a Christian person should behave. And I decided that there was very little that one could really call Christian that one saw.

Q. You misunderstood me. A. You wanted to know why I went to the police, and I told you.

Q. If you thought that Mrs. Duncan was creating illusions in some way or another, had you a theory as to the method used by her for the purpose of perpetrating this fraud? A. Well, I could think of several ways, sir.

Q. Could you think of anything else other than Mrs. Duncan playing bogey-bogey with a sheet over her head? That is what you really thought, is it not? A. Something along those lines, sir.

Q. Could you think of anything else? You might help the jury if you could think of it now? A. Well, I am quite sure that was actually what went on.

Q. Mrs. Duncan playing bogey-bogey with a sheet over her head? A. Yes, sir.

Q. That, and no more? A. That is all.

Q. The child baby was a baby, was it not? A. Was it?

Q. I mean there was the appearance of a baby; you saw that, did you not? A. I really did not consider it; I saw its form with a sheet or something over it, and I was told by Mrs. Homer that that was Peggy, a little helper; and it did not ring true.

Q. I really meant Shirley, the quite tiny child? A. I do not remember anything about Shirley.

Q. Would it alter your view if you were satisfied that apparently there was a

baby form which came right out of the cabinet? Would that not alter your theory that it was Mrs. Duncan playing bogey-bogey with a sheet over her head? *A.* No, sir; it would not alter my opinion.

THE RECORDER: You say you saw no child in her arms? *A.* I saw no child in anyone's arms, my Lord.

MR. LOSEBY: Anyway, on the 17th you conceived a plan for the purpose of the exposure of the whole business. You had to play a part, had you not? *A.* Yes, sir.

Q. Tell us exactly what the scheme was. Cross was to rush forward; is that right? *A.* Yes.

Q. You were then to flash your light on? *A.* Yes.

Q. And simultaneously blow a whistle? *A.* Yes.

Q. And then the police, six in number, who had surrounded the place, were to rush in. Is that right? *A.* I knew the police would come in.

Q. To ensure that no one went out until they were told. Is that right? *A.* Yes.

Q. And to ensure that the criminals were discovered with instruments of fraud in their hands? *A.* To do what, sir?

Q. That would ensure, would it not, that the criminals, taken by surprise, would be caught red-handed? *A.* That was more or less the intention, sir.

Q. What did you discover? *A.* I discovered Mrs. Duncan, not in a trance in her chair, but standing on her bare feet trying to push this cloth quickly away from her as I have already described.

Q. I am asking you by way of apparatus, you would want a white material, would you not? You would want some solid matter for propping up the sheet, or whatever it was? *A.* Who—I, sir?

Q. What did you find suspicious in the way of apparatus? *A.* What did I find?

Q. Yes, or the police? *A.* I just saw her standing there with the cloth on her.

Q. I am talking about material. There was no other point at all. *A.* We did not know what to expect.

Q. What was done other than a quick search? The culprits being taken by surprise, it gave them no time to conceal anything. Was not that the scheme, and was not that the point? *A.* I had been told to illuminate the scene for Cross; I did not know what else was intended to happen after that.

Q. Well, but was it the scheme? *A.* I imagine so.

Q. The search was undertaken by Detective Superintendent Ford: is that right? *A.* He did not search the people there.

Q. There were five police officers under him. Were you yourself satisfied that a search as far as possible was made? *A.* There was no real search carried out, sir, just a cursory one.

Q. But you had gone there for no other purpose? *A.* I, sir? I had not gone there to make a search.

Q. All right, I will deal with that later. It is quite plain, is it not, that the women in the audience said that they thought it would be fairer to themselves if they were searched? *A.* Some of them asked Inspector Ford to search them and he refused.

Q. Several times? *A.* Yes.

Q. The black-out, the organ, the cabinet and the pictures, at any rate, were searched, were they not? *A.* Yes.

Q. And to sum it all up, nothing of any kind was found, was there? *A.* No, sir.

Q. I want to be quite clear about the cabinet. You yourself examined the cabinet before the seance, did you not? *A.* Yes.

Q. There is no doubt about it that there was nothing there? *A.* No, sir.

Q. Was there, so far as you could see, any chance of concealing anything in the cabinet? *A.* Not before, sir.

- Q. Afterwards was there a chance, or was it completely bare? A. There were curtains in there and the chair and the carpet in the corner; but when I searched it there was no white material there.
- Q. Did it resemble that corner there with a curtain across? A. Yes.
- Q. In the circumstances I think we can trust your search party to see that such as there was was searched. A. I think so.
- Q. I want to return to this sheet incident. At a given signal Cross pushed the chair in front of him? A. Yes.
- Q. And that upset Mr. Homer? A. Yes.
- Q. And Cross leaped forward? A. Quite right.
- Q. Then did you immediately shine your torch on the scene? A. Yes.
- Q. Is that right? A. Yes.
- Q. Immediately? A. Yes, sir.
- Q. As Cross gets to the curtains, your torch immediately goes on? A. Quite right.
- Q. There is something else you have omitted, have you not; the curtains also were thrown wide open? A. Yes, by Cross.
- Q. And you and the other people in the front row can see exactly what happened; there is no doubt about that, is there? A. None at all, sir.
- Q. And you saw Mrs. Duncan thrusting some white material to the floor? A. Yes, sir; she was trying to get rid of it.
- Q. Indicate to me the volume of it? A. If I was to hold it up, sir, I think it would reach the floor from where my hands are now. I should quite think it would do that.
- Q. Apparently it was snatched, so it is said, from constable Cross's hands? A. Before he grasped it, sir, it dropped to the floor and fell in a little heap, just as if I dropped a cloth down here. Cross leant down to grab it; he actually touched it, and somebody pulled it away from him.
- Q. That would stretch it all out again? A. Yes.
- Q. Cross had apparently got hold of the sheet, and I suppose you saw it stretched right out? A. No, sir. There was not enough room to stretch it right out.
- Q. You saw Cross with his hand on it. Somebody snatching it would, I gather, stretch the sheet right out? A. They might if they got hold of the end of it.
- Q. Did it do that? A. No, sir.
- Q. It did not? A. No, sir. I never saw it stretched right out.
- Q. Are you sure it did not disappear like the white had disappeared on previous occasions. I only want to know whether you are certain, or whether it is a theory only. A. I saw it grabbed up by someone sitting at the end of the second row.
- Q. Who was it? A. I could not say, from where I was standing, who it was.
- Q. You could tell the direction. You mean grabbed by a hand? A. Yes, pulled.
- Q. I suppose you then went to these various small groups? In which direction did it go? A. It went towards the bay window.
- Q. That was towards Miss Homer? A. Yes.
- Q. It must have been either Miss Homer or Mr. Coulcher or Mrs. Alabaster? A. I don't know who it was.
- Q. You had gone there for no other purpose. Did you go to them and say, "The sheet came in your direction", or did anybody? A. Yes, sir, Detective Inspector Ford.
- Q. To whom was that said? A. He asked them as a whole if anyone had it.
- Q. I am not talking about that. You saw in which direction it went. Did it go in the direction of Miss Homer? A. It went in the direction of the audience. It might have been Miss Homer or anyone sitting in that corner.

- Q. You must have seen the direction in which it went. A. I told you it went towards the audience from the cabinet.
- Q. Don't let us be vague, because this is the one thing we have come to get.
- MR. MAUDE: What?
- MR. LOSEBY: The sheet. Don't say the audience: but what part of the room?
- A. Where the people were.
- Q. There must have been three people, Mrs. Alabaster, Mr. Coulcher or Miss Homer? A. It is possible.
- Q. Were either of them challenged or even asked to assist? A. They may have been asked by someone if they had it upon them.
- Q. Were they? A. I don't know.
- THE RECORDER: You were not in charge of the proceedings, were you? A. No, my Lord.
- MR. LOSEBY: It could not possibly have been done without Mrs. Alabaster, Mr. Coulcher and Miss Homer knowing about it, by reason of their positions? A. It is quite possible they would all have seen something, sir; but from where I was standing, in the hurried movement of going forward I could not say who took it.
- Q. Cross stooped down to grasp the cloth, did he? A. Yes.
- Q. Did he get his hands close to the ground? A. He would have had to, sir, because it was on the ground.
- Q. But did he? A. He must have done.
- Q. How close to the ground were his hands when this cloth was snatched out of his hands? A. His left hand touched the cloth as it dropped to the floor.
- Q. Am I understanding you to say that his hands were right on the ground when the cloth was snatched out of his hands? A. His left hand.
- Q. His left hand was on the ground? A. It was on the cloth.
- Q. And his hand at that time was on the ground? I want to know where his hand was in relation to the ground. A. No, sir, it was on the floor; this was the first floor.
- Q. There has to be a double operation here; first and foremost the cloth has got to be got away, and after that it has to be concealed by somebody. Did you yourself see any suspicious movement by anybody? A large piece of cloth has got to be concealed by somebody. Did anybody do anything which excited your suspicions? A. I did not sight anyone, sir.
- Q. You saw nothing? A. No, sir.
- Q. You say that you saw Mrs. Duncan pushing the cloth down. Is that right? A. Yes.
- Q. Was she standing at that time? A. Yes, on her bare feet.
- Q. Was there anything in the nature of a struggle between yourself and Cross? A. She just stood there, and Cross grasped her by the arms.
- Q. Did she remain standing? A. Yes, sir, until she had got her shoes on.
- Q. How long did she remain standing? A. Long enough for her to get her shoes on.
- Q. After that what happened? A. She sat down on a chair after that.
- Q. What chair did she sit upon? A. A chair that was close to hand along by the wall.
- Q. Was she eventually discovered sitting on Mr. Homer's upturned chair outside the cabinet? A. I don't know what chair she sat on.
- Q. Do you know how she got there? A. She just sat down herself.
- Q. She just sat down on her own? A. Yes.
- Q. And she put both her shoes on? A. Yes.
- Q. And after that there was no struggle? A. No need for any struggle.
- Q. There was not a struggle? A. No, sir.
- Q. I only want to be quite certain I have got it right. She puts her shoes on furtively, so as not to be discovered at all? A. Yes.

- Q. She then sits down; there is no struggle of any kind? A. There was no need for any struggle.
- Q. There was no need for any struggle, and there was not one? A. No, sir.
- Q. I am only just testing you; and that is all there was about it? A. Then she started screaming and saying she was ill.
- Q. I follow; and in reality it was quite plain to you that she was not ill at all? A. I don't know, sir.
- Q. I am only going to conclude by putting it to you that that is, as you know, a completely untrue account? A. Thank you, sir.
- Q. I put it to you—I think in fairness I must—that Cross fell through the curtains. I think in fairness I must put it to you—he fell upon Mrs. Duncan at that time sitting in her chair? A. Cross will tell you differently, sir.

THE RECORDER: Listen to it all; there is a lot to come.

MR. LOSEBY: I am very sorry, my Lord.

THE RECORDER: Put it if you like.

MR. LOSEBY: If your Lordship thinks I need not.

THE RECORDER: No, I am not thinking anything; I am only telling him to wait.

MR. LOSEBY: I put it to you, for some reason or other, then Cross swung her round in her chair out of the cabinet altogether and upset her on to Mr. Homer's upturned chair. Have you got that? A. That is completely untrue.

Q. And I put it to you that was all done in full view of the audience, because at that time you immediately flashed your light on and the curtains were thrown back. A. No sir, I do not agree with you.

MR. MAUDE: My Lord, I have only one question to ask, and then perhaps he could go back to his duty.

THE RECORDER: I don't know about that; I expect it would be a grave disappointment to him, would it not? (*To the witness*) Are you very anxious not to be here, to-morrow? A. I am at liberty to attend, my Lord.

THE RECORDER: You might, Mr. Maude, to assist me, make out a rough sketch plan of this room.

MR. MAUDE: I have got a big thing, but we will have a small one made.

THE RECORDER: That will do.

MR. MAUDE: I will get the police to write on it the names of the persons in the seats. We will have one prepared for your Lordship.

THE RECORDER: You certainly do not want another one; there are two already in existence. I only want the jury to have a rough idea of this room. I suppose you ask for bail as before, Mr. Loseby?

MR. LOSEBY: Yes, my Lord, if you would allow it.

MR. MAUDE: Then I will re-examine to-morrow, my Lord.

THE RECORDER: Yes.

SECOND DAY.—FRIDAY, 24TH MARCH, 1944.

STANLEY RAYMOND WORTH, *Recalled*.

Re-examined by MR. ELAM.

MR. ELAM: My Lord, the Defence have indicated to me that they have no further questions to ask of Lieutenant Worth. (*To the witness*) You were asked about your sight. Can you tell us a little bit about your sight? We know that you are wearing glasses. A. Yes, sir. As you will probably understand, I am of the standard required by the Forces; otherwise I should not be in this uniform. According to the opticians, the definition of my sight is—

THE RECORDER: I think that is quite enough.

MR. ELAM: I thought I could put it in this way to save time. Have you any difficulty in seeing? A. None at all, sir.

Q. It was suggested to you last night by my learned friend that you have given an untrue account—that is what he said—of the events, at any rate, at the end of the 19th January; is that right? A. I gave a perfectly true account, sir.

Q. Do you remember saying that you told Mr. Homer that you had phoned up your mother about your sister being prematurely born? A. I do.

Q. And you admitted that you had not done anything of the kind? A. Yes.

Q. Was that on police instructions or not? A. That particular incident, no, sir. I considered that it was necessary in the interests of justice to allay any suspicion they might have of me, and I did that of my own free will.

Q. So you wish to correct your answer? A. Yes, I should have said I attended there on police instructions, but that particular statement was of my own free will.

MR. ELAM: That is all the questions I have to ask, my Lord. Your Lordship will remember you asked about the plan showing where people were sitting on the 19th January. Inspector Ford has checked his plan with the Defence Solicitor, and they are in agreement.

THE RECORDER: As long as one is coming at some time or other, that will be sufficient.

MR. ELAM: Yes, my Lord, it is here and it is agreed, and I can prove it if necessary.

THE RECORDER: Who proves the plan?

MR. ELAM: Cross, the War Reserve officer.

THE RECORDER: Does he make plans?

MR. ELAM: Apparently he does. He will be called later.

THE RECORDER: Yes, it can wait until he comes.

ELIJAH FOWLER.—*Sworn.*

Examined by MR. ELAM.

Q. Are your full names Elijah Fowler? A. Yes.

Q. Are you a Surgeon-Lieutenant in the Royal Naval Volunteer Reserve? A. Yes.

Q. Do you know Lieutenant Worth? A. Yes.

Q. How long have you known him? A. I have known him for almost two years.

Q. On the 14th January did you and he both go to 301 Copnor Road? A. Yes.

Q. Was that the first time you had been there? A. Yes.

Q. Did you attend a meeting there on that day? A. Yes, sir.

Q. Roughly, how long did it last? A. The meeting, I think, lasted just less than an hour.

Q. Was it in the room upstairs? A. Yes, in the room upstairs above the shop.

Q. Was Mrs. Duncan there? A. Yes.

Q. Mr. Homer? A. Yes, sir.

Q. Miss Homer or Mrs. Homer? A. Mrs. Homer.

Q. Mrs. Brown? A. Yes.

Q. When it was over, did you speak to Mrs. Duncan? A. Yes, I did.

Q. Had you ever spoken to her before? A. No.

THE RECORDER: Tell us what took place. A. After the seance, Mrs. Duncan came out of the cabinet. She sat in the chair facing me and I took hold of her wrist, and then she said that she knew me; she had seen me somewhere before. I said I did not know her and I had not seen her before.

MR. ELAM: For what purpose did you take hold of her wrist? A. I wanted to feel her pulse.

THE RECORDER: Was anything wrong with it? A. I did not think so.

MR. ELAM: It was normal. Did she say anything about yourself? A. After that, yes.

Q. What was it? A. She asked me to go into the next room with her and to see her when she was undressed, because she had undergone several operations.

Q. And you were a doctor? A. I was a doctor, yes.

Q. Did you do that? A. I went into the room with her, but I did not really examine her.

Q. What clothing was she wearing? A. At the time she was wearing either a black or very dark blue frock and underskirt, and silk knickers.

Q. Were they all the same colour? A. I think they were.

Q. Can you tell us what colour the curtains were at the back of the cabinet which we have heard about from Lieutenant Worth? A. At the back of the cabinet I think they were black.

Q. What colour were the curtains that were drawn across the front of the cabinet? A. Brown.

Q. Light brown or dark brown? A. Quite dark brown.

Q. Did you see Mrs. Brown on that day? A. Yes, I saw Mrs. Brown and understood her name was Mrs. Brown after the seance.

Q. What conversation passed between you and her? A. After the seance, as I was going into the other room to see Mrs. Duncan, Mrs. Brown said, "Isn't it wonderful; it makes you think," and then she said, "Isn't Peggy a little helper, a marvellous girl?" or words to that effect.

Q. Had Peggy appeared or spoken? A. Yes, Peggy had appeared.

Q. What did you say? A. When she said, "Isn't it marvellous?" and "It makes you think", I said, "Well, I am thinking"; and when she said that Peggy was a little helper and was a marvellous little girl, I said, "Isn't she?" That was all.

Q. Did Mrs. Brown show you anything? A. Yes, she showed me some photographs which she said were spirit photographs.

Q. Anything like this photograph? A. Yes; this is one of those I saw.

Q. What did she say about it when she showed it to you? A. She said they were real spirit photographs and that the small faces that appeared in the corners of the photograph were images of people who had died.

Q. What did you say? A. I do not think I said anything; I just smiled.

Q. Did you look at it? A. I looked at it.

Q. Did Mrs. Brown say anything else relevant to you that you remember? A. I cannot remember.

Q. Did Mrs. Duncan? A. Mrs. Duncan said that she could see that I did not believe in what had taken place.

Q. What did you say? A. I did not say anything.

Q. Did you see Mr. Homer there on that day? A. Yes.

Q. Did you have any conversation with him? A. He just shook hands with me after the seance and said he would be pleased to see me back again.

Q. Can you tell us in a sentence or so what part Mr. Homer had played in the seance? A. Just before the seance he stood at the bottom of the stairs and checked off the names of the people going upstairs, and then during the seance he sat in the middle of the front row of seats, just facing the cabinet.

Q. Where did you sit? A. I sat on Mr. Worth's right, and he was sitting on Mr. Homer's right.

Q. What about Mrs. Homer; what part did she play? You have told us she was there. A. During the seance she was prompting people and asking them to speak up.

- Q. Can you give us just one instance as an illustration? A. Yes. A message was supposed to have come through for Lieutenant Worth.
- Q. Do you remember from whom? A. I cannot remember.
- Q. What happened? A. Mrs. Homer told Lieutenant Worth to speak up and ask if it was for him, and when he did ask if the message was for him, Mrs. Homer kept on saying, "That is the voice; speak up".
- Q. To Lieutenant Worth? A. Yes.
- Q. As we know, it is common ground Lieutenant Worth had paid for your ticket, hadn't he? A. Yes, sir.

Cross-examined by MR. LOSEBY.

- Q. May I just put it, Mr. Fowler, that you were just faintly interested? A. I was interested.
- Q. Just faintly interested? Admittedly you had had a conversation with Mr. Worth before you went. A. We had several conversations.
- Q. And you had told Mr. Worth, apparently quite frankly and, if I may respectfully say so, quite intelligently, that you were sceptical! A. Yes.
- Q. Had you by any chance taken any scientific interest in the subject at all? A. None.
- Q. You did not know, for example, that there was available what I may describe as a wealth of learning on the subject? A. I had taken no interest at all.
- Q. I am not going into that, but under any circumstances Mr. Worth apparently told Mrs. Homer that you were sceptical? A. Yes.
- Q. That was quite frankly your position, and yet you were given a front seat, were you not? A. Yes.
- Q. You were given a position where you could see quite clearly what went on, I mean the best position available in the room: that is all I want to know, a good position? A. A good position.
- Q. That is all. I am not quarrelling with the words you have said from beginning to end. Then after it was all over, if I may respectfully say so, you intelligently from a scientific point of view took Mrs. Duncan's pulse? A. I felt her pulse.
- Q. Out of scientific curiosity? A. Curiosity, yes.
- Q. After it was all over, you had a conversation with Mrs. Duncan? A. Yes, sir.
- Q. And Mrs. Duncan apparently told you that she could see that you did not believe what had taken place? A. Yes.
- Q. I only want to know, and this is all I want to know. You gave her to understand quite frankly and in a completely courteous and friendly way, I am quite certain, that you were sceptical. A. I did not say so.
- Q. No? I may have misunderstood; but under any circumstances what I want is only this: the whole conversation was completely friendly? A. Yes.
- Q. With Mrs. Duncan? A. Yes.
- Q. And when she said she could see that you did not believe what had taken place, was that also said in a completely friendly way? A. I think so, sir.
- Q. Did she appear to be agitated by the fact that you did not believe what had taken place? Was it a friendly and normal conversation? A. Yes, a normal conversation.
- Q. I am very much obliged to you. You are Scotch yourself, are you? A. Yes.
- Q. It might well be that you had seen her somewhere, or she had seen you somewhere and both of you had forgotten it? A. That could happen with anyone, sir.
- Q. Evidence has been given that this figure, purporting to be the child Peggy,

came out from the cabinet. Did you yourself see everything fairly clearly?

A. Yes, sir.

Q. What sized figure did it appear to you to be; Peggy, I am referring to?

A. In height, about the average height of, say, a girl of sixteen or seventeen.

Q. Whoever it was, did it come right out of the curtain, or perhaps you did not observe that? A. When they stepped out, they brought the curtain with them; the curtain was pulled out like this.

Q. The height of a girl of about sixteen, slim or otherwise? A. I could not say.

THE RECORDER: What is the average height of a girl of sixteen? A. The average height is about 5 feet.

MR. LOSEBY: You put it at about 5 feet? A. Yes.

Q. Would you care to make any further comment as to what you actually saw in regard to that figure? Did you get an impression, whether it was a good impression or bad impression, of a girl of about sixteen? A. I'm sorry; I couldn't see the figure well enough for that.

Q. Nothing could be more frank than that. What I really want is: Did it give the impression of a slim figure or a fairly substantial figure? A. Well, I cannot say that.

Q. You could not see it sufficiently well? A. No. As I say, they pulled the curtain out with them, and that was partly covering it, as far as I could see.

THE RECORDER: Was there any difference in the outline, or whatever you saw of this figure, in the case of Peggy from the other cases where the figure came forward, as we have heard? A. Yes, some of the figures were quite bulky or appeared to be bulky; the others appeared to be quite slim.

Q. Some appeared quite bulky and some appeared quite slim? A. Yes; but they always came right out of the cabinet and they usually pulled the curtain with them.

Q. How was the difference effected in appearance, assuming it was one person? A. The curtains were draped down the front of the figure; and when they pulled them out, if they were open, then the figure looked bulky; if they were closed, apparently the figure would look slim. You could not see the outline.

Q. You have been asked about this Peggy incident. We are told that Peggy offered to sing a song. A. Yes, sir.

Q. Do you remember that? A. Yes.

Q. It was thought 'Annie Laurie' would be too high for her, and she preferred to sing 'Loch Lomond'? A. Yes.

Q. Do you know 'Loch Lomond' when you hear it? A. Yes, sir.

Q. Was that sung by Peggy? A. Yes, I think so.

Q. Were you present throughout the whole of the proceedings on the 14th? A. Yes.

Q. You have not been taken through all the details, quite rightly, but that is one. Do you remember an incident about a rabbit and a parrot? A. Yes, the image of what was supposed to be a parrot appeared from between the curtains, and someone said, "It is dear old Bronco."

Q. Who said that? A. I cannot remember.

Q. What about the rabbit? A. I cannot remember much about the rabbit.

Q. Do you remember anything about a cat? A. Yes, there was a cat.

Q. What happened to the cat? A. The voice in the cabinet asked if anyone had ever put their foot on a cat, and I think Mrs. Homer asked if it was kindly or otherwise, and the voice in the cabinet said, "Kindly". Someone said they had put their foot on a cat to kill it, after it had been run over, I think, by a car; and then I think the image of a cat appeared, and made the noise of a cat, and then disappeared behind the curtain.

- Q. What did you see? A. I saw a white image, but I would not be able to say it was a cat.
- Q. Did anybody say anything when this white image appeared, as to what it was? A. Yes. Several people said, "Look at the pussy-cat."
- Q. When you went, you told us, you were sceptical? A. Yes.
- Q. What was the result of this? Was your scepticism removed or increased as a result of this? A. Increased.

GODFREY NOEL TAYLOR, *Sworn.*

Examined by MR. ELAM.

- Q. Godfrey Noel Taylor, are you a Detective Sergeant in the Portsmouth City Police Force? A. I am, sir.
- Q. Are you in charge of the Police Photographic Department? A. Yes.
- Q. Have you got the photographs there which we are going to talk about? A. Yes.
- Q. Have you examined sixteen photographs, Exhibits 1 to 5? A. Yes, sir.
- MR. ELAM: My Lord, that is a group of four and a group of twelve, totalling sixteen.

THE RECORDER: Have you got copies of these for the jury? A. Yes, my Lord.

- Q. They had better follow it if you are going to deal with it.

MR. ELAM: Before we get to the book, could he have Exhibits 1 to 4? Those are the four photographs which we say Mrs. Brown showed to Lieutenant Worth, Exhibits 1 to 4. How much experience have you had of photography? A. Thirty years.

- Q. Looking at those photographs as a man with thirty years' experience of photography, what do you say about them? A. I say, sir, that in my opinion all the effects produced could be obtained by means of faking.

- Q. Will you look at Exhibit 5? Those are twelve photographs which I shall prove Mrs. Duncan handed to Inspector Ford—that makes the sixteen—later, and then we come to the book. What do you say about those? A. With the exception of this one, which apparently has no ghost effect on it, I would say that all these effects also could be obtained by means of faking . . . This twelfth one appears to be a print which has been over-printed and suffered in the developer. We have half-tones creeping in, and we have a thinning effect here, which shows that the developer had not time to get out the true value of the tone, and it is reproduced in this photograph.

- Q. Over-printed and not sufficiently developed? A. Yes.

THE RECORDER: And this could be obtained by faking? A. Yes.

MR. ELAM: To demonstrate and support your opinion, do you produce Exhibit 6, which is a book of photographs? A. I do, sir.

- Q. Does it come to this? In that book do we start with photographs similar to the ones you have produced? A. With regard to No. 1, that is a portion of the Exhibit No. 1.

- Q. Have you taken a photograph deliberately—I will ask you how in a minute—similar to Exhibit 1? A. Yes, similar in effect.

(The Witness handed in a volume of photographs.)

THE RECORDER: Perhaps the jury would like to look at 4 to save time; just at the bottom right-hand corner of the first fastened-in page. They will notice at the back something which reads: "George" and "God bless you all"; is that right? A. Yes.

- Q. Look at 4A. Have you produced a similar effect, saying after "Christmas Greetings" and "George," "God Bless you all"? A. Yes.*

MR. ELAM: Tell us how you produced your lot of photographs. Take 4A as

*See illustration.

a good illustration; how did you produce that? *A.* In the first place, I made a copy of Exhibit 4 and then I superimposed into the same negative two separate images taken with a separate second exposure, and the principle in my opinion, behind all these ghost or image effects, refers in each case to two separate exposures. The first exposure is made of, say, the main scene, anybody in the room, and then the ghost image is placed against a dark background, having no reflection attached to it at all, and is photographed again on the same plate in a spot which is blank or open so that it will register on the photographic emulsion.

Q. Supposing you have a photograph of one of us counsel here against the ordinary background of the people behind and the panelling, and then you took a picture, say, of this lady here against the black cloth, and superimposed her picture upon the picture of counsel, would she appear as a ghost figure alongside counsel? *A.* She would, provided the original background was dark. This background is brownish. You want a dark background. In all these photographs you will find there is a definite dark background.

MR. ELAM: My Lord, I do not propose to take him through the other Exhibits, unless your Lordship thinks I should do so.

Cross-examined by MR. LOSEBY.

Q. You are a police photographer, are you? *A.* Yes.

Q. I take it that you are interested in photography generally? *A.* Generally, yes.

Q. And you have read fairly well the literature of photography? *A.* Yes.

Q. From time to time the photographic journals have been interested, have not they, in this thing called spirit photography? *A.* A certain amount has been written from time to time, but I have no personal knowledge of, or interest in, it.

Q. Do you know by repute the *British Journal of Photography*? *A.* Yes.

Q. Do you know the paper? *A.* Yes.

Q. Do you know an ex-editor of it by the name of Taylor? *A.* No, sir.

Q. Do you know that this whole question of spirit photography so-called has been investigated from time to time by leading photographers and discussed? *A.* Yes.

Q. You do not know anything about the investigation carried out by Mr. Taylor? *A.* No.

Q. Have you by any chance ever sat with a medium for the purpose of carrying out any experiments? *A.* No.

Q. What was the result of your reading in regard to spirit photography? *A.* The result of my reading?

Q. Yes, anything you had previously read? *A.* I have read from time to time of attempts that have been made to produce spirit photographs, and I may have seen actual illustrations purporting to be such; but I do not know whether they are genuine ones or not.

Q. Was it officially reported? Have you ever read this on the subject, that photographs have been taken, not by Spiritualists at all, but by expert photographers when fraud was completely ruled out, but forms appeared upon the photographs? *A.* I have read that, yes, sir.

Q. I want to be completely frank, that nothing, no photograph has yet been produced, as I understand it, by enthusiastic Spiritualists, which otherwise could not be reproduced by fraud. Is that correct? *A.* It is very likely.

Q. I put it to you that it is not disputed that similar photographs can be reproduced by fraud, and so it really comes to this, does it not, that it all depends upon the complete *bona fides* of the photographer himself? *A.* Yes.

Q. For example, first of all, whether he knows the whole history of the plate; that would be essential, would it not? *A.* Definitely.

- Q. Whether he himself personally supervised the development? A. Yes.
- Q. And whether he himself personally supervised the printing? A. Yes.
- Q. I merely put it to you, for what it is worth, the history of photography shows that at times forms appear upon the prints that simply cannot be accounted for. I do not put it any higher than that. A. I have no experience of that.
- Q. No, you said so quite frankly. These photographs were apparently amateur photographs? A. Yes.
- Q. They seem to be? A. Yes.
- Q. I put it to you they were taken by an amateur in the year 1930; do they look like that? A. It is quite possible.
- THE RECORDER: How can you fix any date? A. I cannot fix any date.
- Q. You were asked whether they might have been taken in 1930? A. It is possible, my Lord.
- MR. LOSEBY: It was only from appearances I wanted it. A. Yes.
- Q. This is all that I am putting to you, that the history shows this, that the photographs have all the appearance of having been faked, but in fact, in reality, had not been faked. Do you follow me? I am putting to you that that has been the experience of certain persons of photographic learning on the subject. A. That depends on the photographs themselves. With regard to these photographs themselves, I should regard these as very crude attempts.
- Q. I understood from you that you really knew nothing of this particular subject. Tell us if I have got you wrong? A. I have no real knowledge of spirit photography, if there are such things.
- THE RECORDER: All I suppose you say is that you can fake photographs as well as anybody? A. Yes, my Lord.

CHARLES ROBERT BURRELL, *Sworn.*

Examined by MR. ELAM.

- Q. Are your names Charles Robert Burrell? A. Yes.
- Q. Do you live at Southsea, and what is your occupation? A. Skilled labourer, His Majesty's Dockyard.
- Q. Have you also been a Spiritualist? A. Quite a long time, sir.
- Q. Have you yourself acted as a medium? A. Quite a long time, sir.
- Q. Do you know Mr. Homer? A. Yes.
- Q. Roughly, how long have you known him? A. Eighteen months or two years.
- Q. And Mrs. Homer? A. The same.
- Q. Mrs. Brown? A. Seen her once, sir.
- Q. Mrs. Duncan? A. See her twice, sir.
- Q. On the 17th January, did you go to Copnor Road, Portsmouth? A. Yes.
- Q. Did you go with anybody? A. Yes, sir.
- Q. Who? A. Mr. and Mrs. Lock.
- Q. They are witnesses. Had you booked a ticket? A. I had booked a place but I did not pay for the ticket.
- Q. What time did you get to Copnor Road? A. About seven to seven-fifteen.
- Q. Did you go in and go upstairs? A. No, sir. In the waiting-room, just before we went up—
- Q. And then? A. When we received orders we went upstairs.
- Q. Who gave you orders to go upstairs? A. Mrs. Homer or Mr. Homer; I am not quite sure which. Either Mr. or Mrs. Mr. Homer, sir.
- Q. When you got upstairs was there a chair for you to sit on? A. Yes.
- THE RECORDER: How much did you pay?

MR. ELAM: Nothing, my Lord. He booked, but he did not pay anything.

(To the witness) Had it got your name on it? A. Yes.

Q. Which row did you sit in? A. The front row, sir.

Q. Who sat on your right-hand side? A. Mr. Homer.

Q. And on your left? A. I can't remember now.

Q. Was Mrs. Homer upstairs? A. Yes.

Q. Where did she sit? A. On the right of the curtain, the way I was facing, but the left of the curtain looking towards me.

Q. And Mrs. Brown? A. At the back of the audience.

MR. ELAM: My Lord, this is the 17th.

THE RECORDER: Yes.

THE WITNESS: She was behind me.

MR. ELAM: We know from another witness the position of the room. What sort of lights were there? A. A red light covered with a material.

Q. Was that all? A. Another light was there, but that was extinguished when they started the seance.

Q. So you had only the red light? A. Yes.

Q. That was rather behind you, was it not? A. Yes, sir, near the rostrum.

Q. Had you seen Mrs. Duncan in the room then? A. No, she was out of the room at the time. I think she was being examined.

Q. By some ladies? A. Yes.

THE RECORDER: Where was Mrs. Brown? A. Behind me, towards the back, my Lord.

MR. ELAM: Did Mrs. Duncan return to the room with the ladies? A. Yes, sir.

Q. What happened? A. She asked whether the members or the congregation were satisfied that everything was above board, and the majority said, "Quite satisfied."

Q. What happened then? A. Then she retired to the cabinet.

Q. Was the meeting formally opened in any way? A. I think prayers were said prior to her going into the cabinet, or when she went into the cabinet.

Q. Who started that or led the opening? A. Mr. Homer gave the opening prayer.

Q. Were the curtains drawn when Mrs. Duncan was in the cabinet? A. After the prayer, yes.

Q. Drawn across? A. Yes.

Q. Can you give us your impression of what happened? A. Mrs. Brown spoke first; she was what I would term the compere. She announced that Albert rather liked the lilt of 'South of the Border,' so she suggested that we should sing that in a very low tone.

THE RECORDER: Did she say who Albert was? A. Mrs. Duncan's spiritual guide.

Q. She said that, did she? A. Yes.

MR. ELAM: Did you sing 'South of the Border' in a low tone? A. Yes.

Q. Did you know it? A. 'South of the Border'?

THE RECORDER: They sing it in the Dockyards, perhaps, do they? A. They sing it everywhere, my Lord.

MR. ELAM: That having been done, what happened? A. I think it was just after that, or prior to that, the light was switched off and Albert commenced the seance.

Q. What happened? A. He said, "Good evening".

Q. In what sort of voice? A. In a rather nice voice.

Q. Did it sound a masculine or female voice. A. A masculine voice.

Q. Where did it emanate from? A. From the cabinet.

Q. Were the curtains still drawn across? A. Yes.

Q. What happened after he had said, "Good evening"? A. The congregation who cared to said, "Good evening, Albert," those who knew him.

- Q. And then? A. He said he was the most important person present that evening and he would proceed then with the seance.
- Q. What happened? A. I cannot remember anything, sir, but a spirit form appeared.
- Q. Tell us about that? A. The one I noticed particularly was a form of a lady, who was supposed to be a lady. She called out that she had been downstairs to find a torch that was left in somebody's pocket, and a hand appeared between the curtains in a kind of muslin, or what in the Movement we would call ectoplasm, but it looked more like muslin to me, and a torch was gripped between the muslin and a hand—I could show you with my handkerchief; the torch was gripped in the centre like that, and the torch was alight.
- Q. Did that come through the curtains? A. Yes, through the centre of the curtains.
- Q. Were the curtains still drawn? A. Yes.
- Q. Was the torch on or off? A. On, sir.
- Q. Had torches generally been collected at the start of the meeting? A. Yes, they were collected before we went upstairs; those who knew they would be harmful to the medium collected them from those who did not. Mr. Homer collected the torches. Mr. Homer was allowed to have one.
- Q. Did anybody say anything about the torch that came out through the curtains? A. Yes; one of the sitters claimed the torch as his. He knew it by the low brilliancy of the bulb or battery.
- Q. What did he say? A. He said it was his torch.
- Q. Was there any answer? A. Yes. The form or ghost said that she had been down and taken the torch from his pockets, and she handed it over to him, and he accepted the torch from this hand or hands.
- Q. He took it? A. Yes.
- THE RECORDER: Was that all that appeared just as you have described it? A. Yes, my Lord.
- Q. There was no form that appeared? A. Well, there was this white form; I could not discern any face or figure, but just the hand or, rather, the cloth that was covering the pair of hands.
- THE RECORDER: There was no form of a figure behind the hands? A. No, my Lord, only a white affair. As I say, we call it ectoplasm.
- MR. ELAM: But you said you did not think it was? A. No, no; it was not, sir.
- Q. Was there any movement or bulge in the curtains? A. No.
- THE RECORDER: What I took down I am afraid was not correct: "A form appeared and said she had been downstairs for a torch"? A. Yes.
- MR. ELAM: A voice said that, and you could see the two hands holding the torch? A. Yes.
- THE RECORDER: But what appeared was simply a white cloth? A. Yes, about three parts up from the floor.
- Q. A white cloth? Is that right? A. A white substance.
- MR. ELAM: After the torch incident, did anything particular happen, or did the meeting come to an end? A. No, there was an interval while Albert the guide apparently went away somewhere, and he left a lady in charge by the name of Peggy.
- Q. Did Peggy speak? A. Yes, she asked us to sing a song of hers called "South of the Border."
- Q. Again? A. No, 'You are my Sunshine'; I think that is the title of the song. And we naturally sung it heartily and lustily. It is a well-known song.
- Q. You knew it? A. Quite.
- Q. What sort of voice had the girl Peggy got? A. Quite a girlish voice; I should say the voice seemed to be that of a lady of twenty-one, a young voice full of vim and vigour.

Q. After 'You are my Sunshine' had been sung, what happened? A. Albert returned and relieved Peggy.

THE RECORDER: Was anything different sung when Peggy was operating?
A. Only a lot of this business mixed with a lot of white cloth, as if I dressed up like a fairy in Christmas pantomime and went on like that. You could see no face.

MR. ELAM: Where was this? A. In the centre of this white substance moving about.

Q. With the curtains drawn across? A. Yes.

Q. And it came through the middle of the curtains, did it? A. Just in the middle.

Q. Did Mr. Homer say anything about Peggy? A. Nothing whatever.

Q. Did Mrs. Homer say anything about Peggy? A. No.

Q. Or Mrs. Brown? A. No.

THE RECORDER: Did she announce herself? How did anybody know it was Peggy? A. Albert announced her. He said he would be leaving and he would be leaving Peggy in charge, and I naturally took it Peggy was a partner of his.

Q. And then Peggy spoke? A. She sang and spoke.

MR. ELAM: Did anything else particular happen after that? A. Yes, there were one or two manifestations took place, which were claimed by one or two of the sitters there.

Q. Can you give us shortly what sort of manifestations? A. Two nights I went to the seance, and I cannot remember which night was which; but on one occasion I saw one or two airmen friends of a friend of mine appear. We went to find out about an airman who was reported missing, and he returned to say that Fred—the one we were enquiring about—was saved, and we found out afterwards it was not him at all, because he had not survived. There was quite a discussion between Mrs. Lock and these airmen.

Q. Did you see anything like an airman? A. No, I could not discern anything on the first night; on the second night I did.

Q. What sort of thing? A. The second night there was a form and it said—I having seen no face at the time—that he was an airman, and had been shot down in France, of the name of Fred. And we knew Fred, but I could not discern it was Fred's face.

Q. What colour was the form? A. Again that was white, but the facial part was of a different colour to the white. It was not so white; it was more of a natural face, as if I had placed a white cloth across my chest. You would look at me and see the white part and say, "Well, there is a glimmer of a face," but, of course, being dark you cannot see so well.

Q. The only light was a red light? A. Yes, and he said it was Fred.

Q. Was it a big or small form? A. Small form.

Q. Was it in the room or by the curtain? A. By the curtain.

Q. In front? A. No, the right-hand side of the curtain, when you catch hold of the curtain on the right and follow them right across. It was as if I went round this way.

Q. You mean round the edge of the curtain, as distinct from the middle? A. Yes.

Q. Going back to the 17th, did the seance come to an end after what you have told us? A. Yes, the power had been expended, so Albert said there could be no more forms produced, so it would be closed down for the night.

THE RECORDER: He said the power had been expended? A. Yes, my Lord.

MR. ELAM: And there would be no more that evening? A. That was the conclusion of the seance.

Q. Were any more lights turned on or put in? A. No, not at the meeting.

- Q. Did you see Mrs. Duncan after this meeting? A. Yes. Mr. Homer pulled the curtains on to one side to allow her to come out; at least, she fell out.
- Q. What do you mean by 'fell out'? A. She fell forward into Mr. Homer's arms.
- Q. What happened when she got there? A. He set her in a chair; she had already a box of matches and cigarettes given to her as soon as she came round from this state of trance.
- Q. When she fell out into Mr. Homer's arms, did she look normal? A. No, far from being normal.
- Q. In what way? A. She had quite a staring look about her eyes, which would be natural in a trance.
- Q. And after the cigarette? A. Quite O.K.
- THE RECORDER: The cigarette restored her, did it? A. The cigarette was all ready for her when she came out of the trance.
- Q. And after the cigarette she looked better, did she? A. More normal, yes.
- MR. ELAM: Did she say anything which you could hear? A. No, she was taken into a private room to be dressed again.
- Q. Did Mr. Homer say anything to you? A. Not one word.
- Q. Did you stay a few minutes, or did you leave straightaway? A. I stayed a few minutes until those who were with me were ready to go, or till the little discussion was over—the gossip, shall we say.
- Q. Did you have any conversation with Mrs. Homer? A. Not till Mrs. Homer spoke to me.
- Q. What did she say? A. She said, "Now, Mr. Burrell, after all these years you have been a Spiritualist and you are not convinced". I said, "No, I'm not convinced at all", and she said, "Well, there are all these poor people here who don't understand, and they are convinced". So I said, "Well, that's why they are convinced, because they don't understand."
- Q. What did she say? A. Nothing whatever, only that I might come again another night.
- Q. Did you have any talk with Mrs. Brown? A. No, not at all.
- Q. About how long had you been there altogether? A. Acquainted with Mr. and Mrs. Homer?
- Q. No, in the room on the evening of the 17th; was it twenty minutes or an hour or an hour and a half? A. I believe it varied on the two nights. One night I think it was half an hour, and probably the other night it was just over half an hour, or three-quarters. I could not say exactly the time; I had no watch.
- Q. Did you go on the following day, the 18th? A. In the evening, yes, sir.
- Q. What time? A. The same time.
- Q. I take it you did not pay then, but you had an invitation to go? A. Yes, sir.
- Q. Did you go upstairs in the same way? A. The same procedure took place downstairs, until we were allowed to go upstairs.
- Q. Exactly the same? A. Yes.
- THE RECORDER: Homer was in charge of that, was he? A. Yes.
- Q. Checking the visitors in? A. Yes.
- MR. ELAM: Was the room in the same condition as on the previous evening? A. Yes.
- Q. Where did you sit on that occasion? A. I had to stand at the back, or, if there was a vacant chair, naturally I could sit down.
- Q. Did you get a chair? A. I stood for a time until I saw a chair, and then I could not see what was going on, so I stood up.
- Q. At the back? A. Yes.
- Q. Do you remember how many rows of chairs there were? A. Two or three.

- Q. Was Mrs. Duncan dressed in another room, as before? A. The same procedure.
- Q. Where did Mr. Homer sit on the 18th? A. I could not say for sure, but I believe it was the same place, near the curtains, at all events.
- Q. And Mrs. Homer? A. Against the wall in the same place, up close to the curtains, on my right facing the cabinet.
- Q. And Mrs. Brown? A. Next to me at the back.
- Q. Was the meeting opened as before? A. With prayer, yes.
- Q. What happened on this occasion? A. The same as the night before as regards the seance, sir. The most prominent part, I think, was the small parrot.

THE RECORDER: A parakeet? A. No, sir.

Q. A budgerigar? A. Yes.

MR. ELAM: Tell us about the budgerigar? A. I never saw it; we were singing at the time. Albert requested a song to be sung; I cannot remember the name of the song, but it had to be sung in a very low, quiet voice. It was so quiet that I could hear through the cabinet the whistling of the bird. I could just hear something like that from the bird which my Lord referred to. Some say they saw this bird and that it was a parrot, and some said it was the small bird which we have just referred to, but from the angle where I stood I could not see any bird whatever, only this chirruping noise. Albert said he would place the bird on Mrs. Duncan's hands and expose them to those who could see from the seance room. Again I heard one or two people say they saw the bird; in fact, I heard someone say they recognized it as Mrs. So-and-so's bird, who apparently had lost it some time ago, or it had died. That was all the interest I took. I could not see the bird.

Q. Were you looking? A. Quite.

Q. Did you see Mrs. Duncan's hands upon which the bird was? A. No, nothing whatever. I could not see the bird, and that was the finish.

Q. You could not see either? A. No, I couldn't see nothing, I could only hear the bird.

THE RECORDER: Could you recognize the voice of the person who said he could see? A. No, my Lord. One or two of the sitters said they could see it, but I couldn't see it. I was not interested in the bird.

MR. LOSEBY: My Lord, I do not think the jury heard the question put by my learned friend. I would like it to be put again. My friend put the question: Did you see Mrs. Duncan's hands on which the bird was perched?

THE RECORDER: Yes; the witness says he saw nothing.

THE WITNESS: I couldn't see no bird. I couldn't see the hands or the bird.

MR. ELAM: I asked him if he saw the bird or the hands.

THE RECORDER: Yes, and he said he could not see anything.

MR. ELAM: What else happened that night? A. I was not interested, after that. I believe one or two manifestations took place of people who passed over and apparently were recognized by some of those who sat there.

Q. Do you remember the names of any of them? A. There was a Mrs. —, a lady apparently who used to work in the Church; I may remember the name—she passed over recently, so I heard, and Albert said that this lady had now returned, and the swelling of the arm—she had passed over with some complaint which affected the arm—had not gone down since she passed over.

Q. Did you know when she passed over? A. No. Mrs. Allen was her name. She passed over quite recently. I didn't know her personally, but Albert said the swelling had not gone down since she passed over, and to prove it the arm materialised, or was shown to those who cared to see it, and Mrs. Homer stepped up—

THE RECORDER: An arm materialised? *A.* Yes, and Mrs. Homer said, "Yes, my dear, the swelling is still there".

MR. ELAM: Where was the arm? *A.* Poked through the curtain.

Q. How much could you see? *A.* From the biceps to the wrist, just that much, where the swelling was.

Q. What did it look like? *A.* It looked like an arm.

Q. Was it vague, or well defined, or middling? *A.* Well defined, quite a nice arm.

THE RECORDER: Was it accompanied by any ectoplasm? *A.* No, it was just an arm, apparently white, fleshlike.

MR. ELAM: Did the meeting eventually come to an end? *A.* Yes.

Q. Did Mrs. Duncan come out as before, or was there any difference? *A.* The same as before.

Q. Did you speak to her on that occasion? *A.* No, she never spoke to me.

Q. Did you speak to Mr. Homer at all before you left? *A.* No, sir.

Q. Or Mrs. Homer? *A.* Yes. Mrs. Homer.

Q. Tell us what passed between you, quite shortly? *A.* She asked my opinion of the second seance I went to. I said, Well, there was certainly more proof of what I was after the second night concerning Fred, whom we were enquiring about, who had passed over. The night prior to that Fred had passed over, he told us. Well, the second night Fred had not passed over; he was quite alive and he was being cared for by patriots in Holland, and we would hear good news of him in time, which naturally cheered my friend who was enquiring for him. He had not passed over. I thought that was very good because I myself had told someone that he had not passed over.

Q. What did Mrs. Homer say? *A.* She made no comment. She was rather pleased, of course, that it had convinced me a little. But, since, we have had notification to say he is dead and buried; so Albert was evidently wrong. He *had* passed over.

Q. What about Mrs. Brown at this last meeting; did she, or did she not, do anything, and if so, what? *A.* Yes, she was the compere right the way through. She told people to call them out.

Q. As she did on the previous night? *A.* Yes; there was a message for me. Someone was there and told me to call them out. I have only lost my mother and sister, and naturally I loved my mother and sister and I could not very well call them out like that, so I said, "Show me a guide". A white form appeared and salaamed, as I have seen done abroad. It just seemed as if it put on a sheet of muslin in front of you.

Q. It sort of made obeisance to you? *A.* Yes, sir.

THE RECORDER: You were not very convinced? *A.* Oh, I am not, sir, not at all.

Cross-examined by MR. LOSEBY.

Q. No, I gathered that, Mr. Burrell. You seem to have observed Mrs. Duncan immediately she came out of the trance? *A.* Yes.

Q. I think you said she seemed sad? *A.* Yes.

Q. Did you observe her immediately she came out of a trance on more occasions than one? *A.* Only the two nights.

Q. Have you only been twice? *A.* Yes.

Q. Are those the only two materialisation seances you have been to in your life? *A.* Yes, in my life.

Q. But you know something about it? *A.* What I have read in books.

Q. Is it a peculiar feature of the phenomena, or whatever you like to call it, that usually gives the impression immediately after not only of sadness but of terror; would that be putting it too high? *A.* I have seen many

people in a trance, and they all look rather staring and a little terrified, as you name it.

Q. I am not asking you about what is usual, but only about Mrs. Duncan and what you observed. A. Yes, she did look rather terror-stricken; terror-stricken or that staring look in her eyes. That was on both nights.

Q. Both nights you noticed that? A. Yes.

Q. I put it to you that is one of the curious features. I quite agree that weight is given to your evidence by the fact that you yourself are a Spiritualist? A. Yes.

Q. For how long have you been a Spiritualist? A. Quite a long time.

Q. Are you a medium yourself? A. Yes, sir.

Q. You went to the seance on the 17th with the Locks? A. Yes.

Q. There are three members of the Lock family, are there not? A. Yes.

Q. Mr. Lock, Mrs. Lock and Mrs. Harris? A. Yes.

Q. Do you know a member of the Lock family, one of the sons? A. At Reading?

Q. One that lives at Oxford. A. Yes.

Q. You know about him? A. Yes.

Q. There is such a son who lives at Oxford, is there not? A. Yes.

Q. When you went on the 17th with the Locks, were the Locks just a little disgruntled—I do not mean with Mrs. Duncan but with the Homers? A. No; do you mean bad friends?

Q. You know what disgruntled means? A. No, sir.

Q. Were you yourself just a little disgruntled? A. What, this morning?

Q. Just a little dissatisfied when you went? A. No, sir.

Q. I thought before you went you had said something about police? A. Before the circle, before the seance?

Q. Do not you remember a dispute? A. Not before the seance, sir.

Q. You previously had been dissatisfied and were what we may call, a little disgruntled when you went? A. I can't agree, sir.

Q. The incident at Redmond I am referring to? A. Yes. Now I understand; that was last year.

Q. There was high dispute over that? A. Yes.

Q. And you and the Locks— A. The Locks didn't know anything about that.

Q. Had you not taken common ground on that incident? A. The Locks didn't know anything about that.

Q. I thought the Locks and yourself were rather objecting to the fees which were being charged? A. I say the Locks didn't know anything about it. You are talking about Mr. Redmond now.

Q. No, about the fees which were charged for Mrs. Duncan's sitting? A. Yes.

Q. How much in reality did you yourself pay for the two seances?

THE RECORDER: He said nothing at all. A. Nothing at all.

MR. LOSEBY: You, like other people, paid nothing at all? A. One.

Q. Why do you say that? A. Because that is all I know of, sir.

Q. You know of one alone? A. Yes.

Q. Would it be right to say you don't know how many others there were who had paid nothing? A. Yes, quite right.

Q. For all we know, half of them were admitted free like yourself? A. I know nothing about that.

Q. You had been asked as to whether you were satisfied or not? A. Yes.

Q. And you said you were not? A. Yes.

Q. And after that you were invited to go again? A. Quite.

Q. Not only to go again but to go again free? A. Quite.

Q. If anybody is capable of forming an opinion, you should be able to? A. Yes, sir.

Q. You are skilled—might I even put it so high as to say that you have been

investigating this subject for quite a long time? *A.* Semi-skilled, shall we say?

Q. You were not only invited to come again but invited to come free?
A. Quite.

Q. Whilst I am on this subject, lest there should be some prejudice about it, are you personally opposed to mediums? Are you opposed to any medium making of their work a whole-time job? *A.* I can't follow you.

Q. Are you opposed to any medium making a whole-time job of his work?
A. No, I'm not at all opposed to them.

Q. If they do, you will appreciate they have to live? *A.* Yes, quite. What I would term a missionary.

Q. Do you know that a materialistic medium, in order to get the best results, ought not to sit more than three times a week? *A.* Ought not to sit?

Q. Yes, to get the best results? *A.* That's right.

Q. You, knowing something about the history of the thing, would know that materialisation seances vary; sometimes you get more satisfactory phenomena than at other times? *A.* Quite.

Q. You would know that? *A.* I do know that.

Q. You would know that if a materialisation medium over-sat, he might fail to do himself justice? *A.* Yes, I would know that.

Q. For example——

THE RECORDER: Do you want an example? He assents to your proposition.

MR. LOSEBY: I am obliged. I want to know how far you can help me. You say you are a medium? *A.* Yes.

Q. What, exactly, do you mean by that? *A.* Medium?

Q. Yes? *A.* Well, as I understand it, a medium is a mediator between one and another.

Q. Let us call a spade a spade, Mr. Burrell. *A.* Yes, sir.

Q. Do you mean—tell me if I am wrong—that you want to tell the jury that spirits from another world contact this place through you? *A.* I want to say emphatically, definitely, that one spirit from one world can contact or communicate with the spirits of this world—absolutely sure.

Q. Through you does that happen? *A.* Yes, quite.

Q. Do you yourself at any time conjure up spirits? *A.* No, never, sir.

Q. Have you ever known a medium who did conjure up spirits? *A.* Not one; I have never known one personally.

Q. Have you ever known a medium, as far as you are concerned, who claimed to conjure up spirits? *A.* No, I can't say that I do.

Q. That would take us back to the bad old days of witchcraft, wouldn't it?
A. I suppose it would; I haven't interested myself in witchcraft.

Q. Does it come to this, that you hold yourself out merely as a person who can be used, or may be used, by outside forces; does it come to that?
A. Outside forces?

Q. Forces external to yourself? *A.* Yes.

Q. Do you claim any merit for yourself? *A.* No.

Q. Or are you merely a person that is used? *A.* No merit whatever, sir.

Q. As far as you have observed it, in order that you may be able to help me by your investigation, is that the general attitude of mediums? They claim no merit of virtue to themselves at all? *A.* That's right, sir.

Q. But only that they seem to be—don't let us put it too high—used by forces outside themselves? *A.* Quite.

Q. Are there different kinds and types of mediums? *A.* Yes, sir.

Q. Have you observed a general trend, namely, of those—let us call them outside forces—is it helpful, generally speaking, or otherwise, good or malevolent, generally speaking? *A.* I can't exactly answer that. I suppose I must say it is very helpful, but that is all to do with the medium.

Q. Does it seem to you, you having investigated it, that there is a scheme of

things helpful or otherwise? That is all I want, for the moment. A. I may say both, sir, helpful and otherwise.

Q. Is there such a thing, as far as your investigations go, as a materialisation medium? A. Yes.

Q. You have no doubt about that? A. Quite.

Q. A materialisation medium, being a person through whom— A. I follow you.

Q. Entities from another place contact this place? A. Yes, I follow you, sir.

Q. And take on a physical form? A. Yes.

Q. You say, in your view, there is no doubt that there are such persons? A. Yes, sir.

Q. A materialisation medium who, if your investigations are correct, should be able to prove that she is a materialisation medium? A. He or she should prove.

Q. As far as your investigations go, they all seem to exhibit certain common characteristics? A. Some more—

Q. Yes or no will do for that? A. No.

Q. You are quite right; they vary; but let me put you another question. A something called ectoplasm exudes from their bodies; is that right? A. So we are told, yes, sir.

Q. So we are told? A. Yes.

Q. In your view, it should be either a fact or not? A. Well, I have only seen one materialisation seance, and I have not touched ectoplasm, so what—

THE RECORDER: Do you exude ectoplasm when you are a medium? A. No. nothing of the kind, my Lord.

MR. LOSEBY: Is this the theory, that a something exudes from the body of the medium which enables these entities— A. To build up.

Q. To make themselves visible? A. That's right, sir.

Q. It is something almost resembling in its nature a birth. Just think for a moment about that. A. A what, sir?

Q. A birth? A. A birth?

Q. If there is anything in it at all, it takes on something of the nature of a birth? A. I can't quite follow you.

Q. Perhaps you have never thought of it in that way? A. No, sir.

Q. If a person is a genuine materialisation medium it should not be difficult, if investigation is close enough, to prove whether this ectoplasm does or does not exude from his body? A. It should be easy, yes, sir.

Q. It is well known, is it not, that ectoplasm can be photographed? A. Yes.

Q. May I put it to you as an investigator? Supposing you were given an opportunity of examining Mrs. Duncan and you reached the conclusion that, under certain circumstances, ectoplasm exudes from her body in large volumes, would that interest you as an investigator? A. Quite.

Q. It would? A. Yes.

Q. Suppose it was completely proved to your satisfaction that if, when she was in trance, a light was suddenly put on she was wounded, there being no other circumstances to account for the wound, would that impress you? A. Oh, quite.

Q. That would impress you? A. Yes, if that were proved to me.

Q. That proves it, doesn't it? A. If she was wounded.

Q. Suppose you were satisfied that that experiment had been carried out, between the magisterial sittings and this, and that she exhibited a wound on each occasion, would that shake you a little? A. Yes, but it wouldn't impress me.

Q. Add to this, a materialisation medium who has been a materialisation medium for some time, ought to be able to produce literally hundreds of

people who can say, if they are genuine, "I have identified beyond dispute someone supposed to be dead"—if they are genuine? *A.* If they are genuine.

- Q.* Yes, if they are a materialisation medium? *A.* Yes, sir.
- Q.* You have only been twice—isn't that the position? *A.* Yes.
- Q.* As an experienced investigator, would you agree with me that the first time you go, even as an experienced investigator, the phenomena are a little surprising? *A.* No, I can't agree there, sir.
- Q.* You can't agree with that? *A.* No, it was not surprising at all.
- Q.* I am merely putting that to you. What I really put to you is this, that a person investigating will be able to reach sound conclusions better if he investigates three or four times, the reason being—this is all I am putting to you—that the first occasion is just a little surprising; but you did not find it so? *A.* No, not surprising; I didn't find it so.
- Q.* In order to reach a conclusion, is it of great importance to be in a position where you can see clearly? *A.* Quite.
- Q.* Because you might well go to a materialisation seance in which there were general phenomena, but you yourself could not see clearly? *A.* Quite.
- Q.* Were you yourself in a position to see clearly on both occasions? *A.* In a position to see clearly, but there was not enough light to see by.
- Q.* Were you in a position, for example, where you could get your head as close as, say, to within a foot of the materialisation? *A.* Yes, I was, within a foot.
- Q.* On both occasions? *A.* On the first occasion.
- Q.* That is to say, you got within a foot, and whoever it was who showed himself or herself to you must have come right out of the cabinet? *A.* Not necessarily.
- Q.* Because your head was a foot from the curtain? *A.* Yes, but it wasn't necessary to come out of the curtain.
- Q.* You would be sitting at least three yards from the curtain, would you not? *A.* Quite within that; I was about a foot from the curtain.
- Q.* As close as that? *A.* Yes, quite as close as that.
- Q.* Tell me this; I think it is relevant and important. Why did you want to go at all? What is the value and importance, if any, of a materialisation seance? *A.* To prove without doubt continuity of life beyond; that is the sole aim of a materialisation medium in her life, shall I say—to prove that.
- Q.* So if it be true that a person is a genuine materialisation medium—*A.* If they are.
- Q.* Yes, if that be true—*A.* If it be true, yes.
- Q.* It proves, does it not, continuity of life? *A.* Yes.
- Q.* The whole, the existence—contacting this place—of a spirit world, in your view? *A.* Yes.
- Q.* And, indeed, the existence of a complete universe? *A.* Oh, yes, yes.
- Q.* Is it as important as that? *A.* Yes, we do believe that, yes.
- THE RECORDER: What do you mean by "a complete universe"? Complete with wars and all the rest of it? I don't follow the phrase; I don't know what it means. *A.* I take it that the gentleman, our learned friend there, means that we believe that there is a completeness between the spirit world, those who have passed over, and those that remain here.
- Q.* Yes, that we understand without using any incomprehensible phrases. Life hereafter, if you like.

MR. LOSEBY: Yes.

THE RECORDER: That is simple enough; there is no need to cover it up with a lot of phrases.

MR. LOSEBY: I will put it clearer still.

THE RECORDER: We want to use as few words as we can.

MR. LOSEBY: Yes, my Lord. A spirit world contacting this place for the purpose of alleviating human suffering, physical, spiritual and mental. Is that putting it too high? A. No, that would be quite all right, quite in order.

Q. Would your investigations bear out that theory? A. Yes, sir.

Q. Is there any function at all, as far as you know as an investigator, for a materialisation medium, other than the proof in a simple form of survival? A. Yes.

Q. Some other function? A. Sometimes they prove without materialisation.

Q. Yes. A. There is just the ordinary clairvoyance, that can prove continuity of life without materialisation.

Q. That is the main purpose? A. More elastic.

Q. Tell me this—I am sure you will be quite frank— A. Quite.

Q. On the 18th January, at seven o'clock, did you have a conversation with Mrs. Homer in the presence of a Mr. Waldron? A. I don't know Mr. Waldron.

Q. A soldier? A. Yes, a marine.

Q. Somebody is going to speak to a conversation you had with a man? A. Yes, I know now.

Q. Did you tell Mrs. Homer, in the presence of Private Waldron, that you had been greatly impressed the night before and that now you were quite convinced? A. No, not greatly impressed the night before. That was the first night, when I was not at all impressed. The second night I was more impressed concerning this medium whom I have referred to.

Q. You may have changed your mind since? A. No, I have not.

THE RECORDER: Did you say anything of that kind to Mrs. Homer in the presence of Waldron? A. Yes, after the second seance.

MR. LOSEBY: Did you use the phrase that you were quite convinced? A. Oh, no, not quite convinced; more convinced, not quite convinced.

Q. You were more convinced? A. Yes.

Q. For what it is worth, I put it to you you used the phrase that you were quite convinced. A. More convinced the second night than I was the first night; I have already said that.

Re-examined by MR. ELAM.

Q. Were you, or were you not, quite convinced at the end of the second meeting? A. At the end of the second meeting, as I have already said, I was more convinced than I was the first night.

Q. You said to my learned friend that you were not disgruntled when you went there, but you were disgruntled when you left; why was that? A. It was far from my expectation—the materialisation seance, which I have read about in many books which my learned friend spoke to me about at Portsmouth but which he has not mentioned to-day—I expected the materialisations about which I have read, something where there was no curtain, where there was no darkness, where all was light, and I could have seen those people who had passed over like I can see you at the moment. But when I got there it was dark; you could not discern people properly.

Q. You just told my learned friend there was not sufficient light to see by? A. No, there was not sufficient light to see by.

Q. Although you were near enough, had there been? A. Yes; and so I was not impressed the first night, naturally.

Q. On the other night, did you see any substance, such as ectoplasm, exuding from Mrs. Duncan? A. No, not at all.

Q. What did the substance you saw look like? A. Like muslin or a sheet, something white.

WILLIAM LOCK, *Sworn.*

Examined by MR. ELAM.

- Q. William Lock, are those your full names? *A. Yes.*
- Q. Do you live with your wife at Portsmouth? *A. Yes.*
- Q. What do you do for a living? *A. I am a licensed pedlar.*
- Q. With your wife, Mrs. Lock, and Mr. Burrell—there is no dispute about the date, the 17th January—did you go to 301 Copnor Road? *A. Quite so, sir.*
- Q. Did you book a seat there? *A. Yes.*
- Q. When was that? *A. I booked them for the 17th through a Mr. Burrell.*
- THE RECORDER: Through Mr. Burrell? *A. Yes.*
- Q. The last witness? *A. Yes, my Lord.*
- MR. ELAM: Did you pay anything to go in on the 17th? *A. Yes, sir, but I should like to correct myself before I go any further as to the statement I made last time. I said 15s. 6d., but it should not have been 15s. 6d., it was 12s. 6d.*
- THE RECORDER: Was that for your wife and yourself? *A. No, 12s. 6d.*
- Q. Each? *A. Yes, my Lord.*
- MR. ELAM: Had you paid that before the 17th, or did you pay it on the 17th when you went? *A. Before the 17th.*
- Q. Where was that paid? *A. To Mr. or Mrs. Homer. Mr. Burrell no doubt said where it was paid.*
- THE RECORDER: Whom did you hand the money to? *A. Mr. Burrell took my instalments, otherwise perhaps I wouldn't have got a seat, and the wife's.*
- Q. You paid it to Mr. Burrell? *A. Yes.*
- MR. ELAM: We know it was in the evening when you went with Mr. Burrell and Mrs. Lock to Copnor Road? *A. 301 Copnor Road on the 17th.*
- Q. That is right. Did you go upstairs immediately when you got to 301? *A. No, sir, we had a few moments; then we were asked up by Mr. Homer.*
- Q. Did he go upstairs with you? *A. Not direct up with us, but just afterwards.*
- Q. We know there were other people there? *A. Yes.*
- Q. Did you go to a room upstairs with chairs in it? *A. Yes.*
- Q. Before he asked you to go upstairs, had you spoken to Mr. Homer? Did you know him? Had you seen him? *A. I had seen him, because I had been there on two or three occasions previous to this.*
- Q. When you got upstairs, did you see Mrs. Homer? *A. Yes.*
- Q. Was Mrs. Brown there? *A. Yes.*
- Q. Did you see Mrs. Duncan? *A. Not when I went into the room.*
- Q. But later on? *A. Yes.*
- THE RECORDER: Now tell us in your own way what you saw. *A. When I got into the room I was asked to take a seat, and I was sitting nearest to the door in the second row. There were some garments passed around to the audience, and when they got to me I handed them over the front row to the person in front of me, and then three women were asked to go along into the other room to dress Mrs. Duncan in those garments that we had already examined.*
- MR. ELAM: What were they—the colour? *A. All black. After that the three women went out; my wife was one of them, a short nurse and some other woman went along to dress her. When they came back into the room Mrs. Duncan passed some comment about "See my garments", or something like that.*
- THE RECORDER: Mrs. Duncan came in, did she? *A. Yes, Mrs. Duncan came in, followed by the three women who had dressed her. After that she went and sat in the chair behind the screen, and Mrs. Homer opened with a prayer.*

- Q. Mrs. Homer? A. Yes. Then Mr. Homer got up and drew the curtain, at the same time that this prayer was being announced by Mrs. Homer. After that I heard a moaning noise, and Mrs. Duncan, I take it, was going into a trance.
- Q. How did you know that? A. By the moaning noise, I took it to be that, my Lord.
- Q. What happened then? A. Presently a white form appeared between the curtains and it said, "There is a spirit form in here for the gentleman on the right nearest to the door". I was the gentleman sitting nearest to the door. Then I heard Mrs. Brown say, "Call him out; call him out", which I did. When I called it out, I said, "Is that you, Mum?" and it said, "Yes," and came out.
- Q. Your mother? A. No; I always called my mother-in-law 'Mum'. It never stopped to give me any message but disappeared, and at the same time another spirit form, for the same gentleman, came through from the curtain. I waited for someone to call it out. "Call it out", was Mrs. Brown's reply, so I called the spirit out. I said, "Is that you, Sally?" "Yes," it said.
- Q. "Sally"? A. Sally, that was my sister who had passed away some years ago. It said, "Yes". I said, "Come out if it's you, and shake my hand and I can believe you." It came out from the side of the curtain nearest to where Mrs. Homer was sitting, a matter of about eight feet, I should say, from the curtain to where I am, and I leaned over the row in front of me, over the lady who was sitting in the chair in front of me, and shook the hand, which I felt was very fat and clammy, more like a human hand than anything else.
- MR. ELAM: Did you notice anything else when you shook the hand? A. Other spirits had appeared to other people. There was one other spirit appeared.
- Q. I mean anything near the hand? A. Only the hand. All I could see was a white cloth, or substance.
- Q. Tell us about that? A. When it came to me, I couldn't see any features of anyone, but I could see the outside figure of a large person, you would take it to be, but no features of anyone.
- Q. What colour was the figure? A. I should say more like Mrs. Duncan than anyone else.
- Q. What colour? A. White; a white figure in front of me.
- Q. Did you notice anything else? A. With regard to the figure, sir?
- Q. Yes. A. I came to the conclusion—
- Q. Did the white stay there? A. All that there was was a white shroud in front of it; like a cloth it appeared to me.
- Q. What happened to that? A. Disappeared towards the floor and the figure disappeared towards the curtain, and the white curtain seemed to disappear down through the ground.
- Q. Down through the ground? A. Yes, it didn't appear to walk back to the curtain where it came from.

Cross-examined by MR. LOSEBY.

- Q. This figure didn't walk back to the curtain? How far out had that figure got? Someone had got eight feet out, you said? A. I said about eight feet.
- Q. And it didn't go back to the curtain? A. I say it didn't go back to the curtain in white; it disappeared through the floor.
- Q. And you think it was Mrs. Duncan? A. After catching hold of the hand, yes.
- Q. Do you think that, somehow or other, Mrs. Duncan went through the floor? A. No.

Q. Then I have not followed you.

THE RECORDER: What he said was the cloth seemed to fall to the ground and the figure went back to the curtain.

MR. LOSEBY: He said something went through the floor.

THE RECORDER: You were cross-examining him upon his original statement which I was able to take down, and I am only reminding you of what he said.

MR. LOSEBY: Then I have not followed him. (*To the witness*) What was it you said seemed to go through the floor? A. The cloth.

Q. Mrs. Duncan seemed to go back; is that right? A. Well, you couldn't see where the figure disappeared to because of the light.

Q. I am only trying to find out what exactly you are telling the jury. The cloth seemed to go through the floor? A. Yes, that's right; it disappeared downwards.

Q. That curious illusion, however it was done, seemed to occur in every case, did it not? The white seemed to go through the floor whenever you saw it? A. No, I don't say that in every case; not when Peggy came out singing.

Q. No, because Peggy came right out? A. Yes.

Q. And then went right back again? A. That's right.

Q. Did you see Peggy yourself? A. What was supposed to be Peggy.

Q. How big was she? A. It is very difficult to say how big she was; you could only go by the white material you could see hanging in front. I should say about my own stamp.

Q. As high as yourself? A. About 5 ft. 3 or 5 ft. 4.

Q. I put it to you, smaller than that? A. I am not smaller than that.

THE RECORDER: He is putting that as the height of the white figure; he is not trying to reduce you. A. Oh, the white figure, yes. That was very slim, I will agree.

MR. LOSEBY: You referred to somebody who took your hand, who came right out from the curtain? A. Yes.

Q. Did you use these words in the court below—if I have got it wrong, I want you to tell me: "It was very cold and flabby and very fat"? A. That's right, more like a man's hand.

Q. Mrs. Duncan is a big woman, is she not? A. Yes; I take it she is a big woman.

Q. Have you ever noticed her hands? A. No.

Q. Or her feet? A. No.

Q. Have you ever noticed that she has small feet? A. No.

Q. And that her hand is neither fat nor flabby? A. No.

Q. You have never noticed that? A. I haven't seen her hands.

Q. We shall see them later.

(Adjourned for a short time).

BESSIE LOCK, Sworn.

Examined by MR. ELAM.

Q. Bessie Lock, are these your full names? A. Yes.

Q. Are you the wife of William Lock, and do you live with him at Portsmouth? A. Yes.

Q. On the 17th January of this year did you go to 301 Copnor Road, Portsmouth? A. Yes.

Q. Was that with your husband Mr. Lock, and a Mr. Burrell? A. Yes.

Q. Did you book a seat for that day? A. Mr. Burrell booked for us.

Q. Did you pay anything for your admittance? A. 12s. 6d., but we paid it by instalments.

Q. To whom did you pay? A. We gave it to Mr. Burrell to give to Mr. Homer.

- Q. Separate amounts making up the 12s. 6d.? A. Yes.
- Q. When you got to Copnor Road what time was it? Was it in the evening?
A. Yes, in the evening.
- Q. Did you go upstairs immediately? A. No, sir, we went into the room behind the shop.
- Q. Who was in there? A. There were a great many, both ladies and gentlemen whom I didn't know.
- Q. Any of the defendants? A. No.
- Q. Did you afterwards go upstairs? A. Yes.
- Q. Did anybody suggest that you should go upstairs? A. Yes, Mr. Homer came down and asked us to go up very quietly.
- Q. Did you go up quietly into a room on the first floor? A. Yes.
- Q. Were there chairs and so on in the room, as we have heard? A. Yes.
- Q. Tell my Lord and the jury in your own words what occurred. A. We went into the room and there were rows of chairs arranged with little tickets on them. I presume it was the names of the sitters. And after we got in there and were seated, some clothing was handed round for us to inspect. It was knickers, a petticoat, a dress and shoes, and we were asked to very carefully inspect them, which everyone did. Then they were passed back, I think to Mrs. Homer, and then Mrs. Homer asked would three elderly persons go and help undress and redress Mrs. Duncan, and I was one of them. We went out and went into the next room and took off the clothing that Mrs. Duncan had and put on the clothes that were passed round in the seance.
- Q. Was she wearing, when she came out of that room the second time, anything other than the clothes which had been handed round? A. Not to my knowledge.
- Q. Were her other clothes which she had last taken off left in the room behind?
A. Yes.
- THE RECORDER: Did she precede you out of this room, or follow you out of this room? A. One lady went first and opened the door for Mrs. Duncan to go out and I went out behind her.
- MR. ELAM: Did you then go back to your seat? A. Yes.
- Q. Then what happened? A. Then Mrs. Duncan asked one of the ladies that helped to undress her to tell the others exactly the clothes she had on, and I was the one who did that.
- Q. You told them what she had got on? A. Yes.
- Q. And after that? A. After that, Mrs. Homer led in prayer and Mr. Homer drew the curtains.
- Q. Was Mrs. Brown there? A. Mrs. Brown was standing at the back.
- Q. And then? A. Before that Mrs. Homer asked for all the torches to be collected, in case one might be of danger to the medium.
- Q. And they were collected? A. They were collected.
- Q. What happened then? A. Then the curtains were drawn and a figure came out that was called Albert. Mrs. Homer explained that it was Albert, and he said, "Good evening, friends; is there anyone here going to say 'Good evening' to me?", and we all said, "Good evening, Albert". Then he brought out the spirit friends. I think the first one that came out was for my husband, and he said, "I have a spirit friend here, an elderly lady who passed over, and it is for the gentleman near the door", and my husband was the only gentleman there. Mrs. Brown said, "Call the spirit friend out", and he said, "Is that you, Mum?" and the spirit friend said, "Yes" and it came out. My husband asked her to shake hands and it did so. She just went back, apparently as though she disappeared through the floor. Then she said, "There is another friend here for the same gentleman, and she passed out quite young, practically in her health," and my husband said, "Is that you, Sally?" and she said, "Yes" and she came out on the

side of the curtain, and he said, "If you are Sally and wish me to believe it, will you shake my hand?" and a hand came out which my husband shook, and then it just disappeared. It seemed as though the white form just disappeared down into the floor.

Q. Did anything happen to you personally, Mrs. Lock? A. After that, Albert said, "There is an elderly lady here who passed over very weary, and it is for a lady that is close to the door." I said, "Is that you, mother?" and he said, "Yes, that is the voice". So I said, "Will you speak to me, mother; will you shake hands with me, or touch me?" and she said: "No, I could not do that, I am too weary and tired". And with that it just drifted to the floor.

Q. Did anyone ask you to speak on that occasion? A. Yes, Mrs. Brown on each occasion.

Q. Said what? A. Please call the spirit friend out.

Q. Can you help the Court about the voice? Was there any similarity to your mother's voice when she was alive? A. No, there was nothing that I could discern that was my mother.

Q. What happened after that? A. After that Albert said, "There is another spirit form here and it is of a young boy, and he passed over in full life"—I forget just what was said—"and it is for the same lady, and it passed over through War conditions and it is through being shot through the head". So I went with one purpose to find out about a dear boy who has gone, and I said, "Is that you—

THE RECORDER: Was this some relation of yours? A. A great friend.

Q. A boy had been shot? A. Yes. I said, "Is that you, Freddy?" and there was no answer. I then said, "Is that you, Pinkie?" and with that a voice said, "Yes", and it came out from the side of the curtain.

Q. What did it? A. The spirit friend, the form.

Q. What did it look like? A. It looked just like a white robe sitting there, nothing more.

Q. Something white? A. Something white. I then said, "Is that you, Pinkie?" and it said, "Yes." I said, "Tell me, dear, quickly, before you go, has Fred passed over?" and he never answered to that, but he just said, "Did they receive that?" I said, "I am sure I could not tell you," and he said, "Will you thank them for being so kind to me?" I said, "I will", and with that it put the left hand up and drew off a white cloth from the head, revealing almost black hair and a very red complexion.

MR. ELAM: You saw that, did you? A. I saw that distinctly.

Q. Where did it go after you had seen that? A. It seemed just to drift towards the ground, and I saw no more.

Q. Was Pinkie another friend of yours? A. No.

THE RECORDER: You saw dark hair and a red face? A. A very red face, yes.

Q. Well above the white? A. Yes, well above the white.

MR. ELAM: Did anything else happen at that time on the 17th? A. Not for myself. There were other spirit friends appeared for other people.

Q. Was there any singing? A. Yes. Albert said he was leaving now, but he would leave the meeting in the care of someone else; and out came a form and danced about, which was Peggy.

THE RECORDER: Who said it was Peggy? A. Mrs. Homer and others said, "Oh, here is dear Peggy", and they started 'You are my sunshine, my only sunshine,' and we all joined in.

MR. ELAM: What happened then? A. Then she said something; I can't quite recall the words. She said to one of them—

Q. What happened to the white form, did you see? A. Yes, it danced about in front of the curtain.

Q. And after that it just disappeared in the same way the other forms did? A. Yes, you couldn't quite tell where it went to, really.

- Q. Did the meeting then come to an end? A. No, there were other spirit friends appeared; one was a bird, like a bird, that came through the curtain on a hand.
- Q. What sort of bird? A. I heard the twittering of a bird, and it seemed like the form of a bird.
- Q. What colour was it? A. I couldn't see any colour at all; it just looked something in the shape of a bird.
- Q. Did it fly around? A. No.
- Q. Eventually did the meeting come to an end for that day? A. Yes, for that evening the meeting came to an end.
- Q. Did you speak to Mrs. Duncan after it was over? A. I went in and dressed her again. I was one of the three who had to go in again to dress her.
- Q. Was she in the same clothes? A. Yes, exactly the same clothes.
- Q. Did you speak to Mr. Homer after it was over? A. Yes. First of all I spoke to Mrs. Homer and asked, could I come the next evening?
- Q. What did she say? A. She said, "You ask Daddy; if there is a seat, you shall".
- Q. Meaning Mr. Homer? A. Yes.
- Q. Did you ask Mr. Homer? A. Yes. I asked Mr. Homer if I could come again, and he said, "Yes".
- Q. Did you have any conversation with Mrs. Brown? A. No.
- Q. Did you go the next evening, which would be the 18th January? A. Yes, I attended the next evening.
- Q. With your husband and Mr. Burrell? A. Yes.
- Q. Did you go to the same room? A. Exactly the same.
- Q. Did the same preliminaries take place as you have just described? A. Yes, but I did not help undress Mrs. Duncan on that occasion.
- Q. Otherwise, was it exactly the same? A. Yes, exactly the same.
- Q. Did anything particular happen the second time? A. To myself my mother was supposed to come through again, and I asked her would she touch me or kiss me, but it never answered; it just went away. I asked if she had met any others of the family that we had lost, and she said, "Yes, five of them".
- Q. Did she particularise who the five were, or any of them? A. No.
- Q. Did the voice sound like your mother's the second time? A. Not at all; my mother was very old; she was ninety-three when she died.
- Q. Did you pay for the second meeting? A. Yes, 12s. 6d.
- Q. Through Mr. Burrell again? A. No, to Mr. Homer.
- Q. Yourself? A. Myself.
- THE RECORDER: Was your husband there? A. My husband was in the room when I paid.
- Q. Did he go with you to the second seance? A. Yes, but he didn't pay.
- Q. He didn't pay at all? A. No, my Lord.
- Q. But you paid? A. I paid.
- Q. I gather you had to pay the first 12s. 6d. by instalments? A. We could do that. Mr. Burrell saw Mr. and Mrs. Homer and said we could pay in that way.
- Q. That was more convenient for you, was it? A. Yes.
- Q. Did you pay the second 12s. 6d. down? A. Yes, in half-crowns.
- Q. In cash? A. Yes.
- Q. To Mr. Homer? A. To Mr. Homer.
- MR. ELAM: After that meeting was over, was any arrangement made for you to go a third time? A. No, I didn't make any arrangement, not that night, to go on the Wednesday; but the next day my daughter went in the afternoon, and she was going in the evening and I said, "I will come along with you."

- Q. So you made arrangements to go on the 19th? A. Yes.
- Q. Did you go to the same place on the 19th January? A. Yes, the same place.
- Q. The same room? A. The same room.
- Q. Was your husband with you? A. No.
- Q. Was Mr. Burrell? A. No.
- Q. Did you pay anything to go on the night of the 19th? A. Yes.
- Q. In one sum? A. In one sum, but only half fee. Seven shillings I paid.
- Q. To whom? A. Mr. Homer.
- Q. At the chemist's shop? A. Yes.
- Q. After the preliminaries, what happened on that occasion? A. Well, just the same as usual. Mrs. Duncan's clothes were passed round.
- Q. The same as before? A. The same as before.
- Q. Did something rather different happen eventually? Did you see something happen to the meeting? A. Yes. My mother came through again, and then a couple more spirit friends, which were not anything to do with me; and then there was an awful scuffle and a torch was shone on to the curtain, and I saw someone grab Mrs. Duncan, as I took it to be, a dark figure. But I saw something white kind of leap from her down.
- Q. From whom? A. From the dark figure which was there, which I concluded was Mrs. Duncan.
- Q. What happened to it? A. Then I saw Mr. Cross. He had hold of the dark figure and was trying to hold the white with his left hand, and I saw it go through the left hand towards the bay window.
- Q. Was that in the same direction as the dark figure, or away from the dark figure? A. Away from the dark figure.
- Q. What happened after that? A. The next I saw was Mrs. Duncan sitting in a chair.
- Q. In the cabinet? A. No, just outside the cabinet, and I heard her say, "My God, what has happened?" Police whistles blew, and the police came in.
- Q. This officer sitting here and others? A. Yes.

Cross-examined by MR. PEDLER.

- Q. How many seances did you attend altogether? A. Three.
- Q. Were you a friend of Mr. Burrell? A. Yes.
- Q. Did he come to your house once a week? A. Oh, no, there was no stipulated time of once a week; he used to come in occasionally.
- Q. Were you yourself interested in Spiritualism? A. I was interested, but I am not a Spiritualist.
- Q. You knew he was a medium, did you not? A. Yes.
- Q. Was there any talk about Mrs. Duncan in your house before she came to Portsmouth? A. No.
- Q. She came on the 12th, did she not? A. I went on the 12th. Yes, there was talk about it because he asked should he book our seats; he was sure there was something wonderful going on, should he book our seats, and I said, "Yes".
- Q. You have a son working at Oxford, have you not? A. Yes.
- Q. Did he come home about Christmas and talk to you about Mrs. Duncan? A. No. I may have said that we had booked our seats and were going to see this big medium, but that is all, just like you would talk in the family.
- Q. No suggestion of a summons against Mrs. Duncan at that time, the 3rd January? A. No.
- Q. Not in your household? A. No, nothing at all.
- Q. Do you swear that? A. I swear by the Almighty God that there was nothing.

- Q. You went to three materialisations? A. Yes.
- Q. Had you ever been to one before? A. No.
- Q. Did you help to undress Mrs. Duncan? A. Yes.
- Q. Did you co-operate all the way through? Were you sympathetic towards it or antagonistic? A. I was sympathetic towards it. I went with that impression; I went to find out as regards my friend's boy. I was quite thorough when I went to Mrs. Homer to see Mrs. Duncan.
- Q. You went in a spirit of co-operation and kept it up all the way through? A. Well, I did, but I had my doubts after I saw the cloth taken off the head, because it was nothing like either of the boys that were missing. The features—
- Q. You mean Fred and Pinkie? A. Fred and Pinkie.
- Q. On the first occasion, that was the 17th, when you were with Mr. Burrell and your husband, where were you sitting exactly? A. I was sitting in the second row.
- Q. To the right or to the left? A. More to the left.
- Q. You would not see so much of the cabinet from the left as if you were sitting in the centre or to the right, would you? A. You could see quite distinctly. In fact, Mrs. Homer gave us permission to stand up.
- Q. Were you standing? A. Yes, I stood up.
- Q. There were two rows of chairs? A. Yes.
- Q. And you were standing up in the second row or behind the second row? A. Behind the second row.
- Q. So you had not a seat on that occasion? A. Yes, I had, but she gave us permission to stand because you could not see distinctly when sitting.
- Q. How near were you when the first figures appeared? Was that your husband's aunt? A. No, mother and sister.
- Q. Your husband's mother and sister? A. Yes.
- Q. What did you yourself see? A. I saw just the white forms.
- Q. Come out of the cabinet? A. Come out of the cabinet.
- Q. How far out? A. The one that shook hands was a little further than the other, because she stepped over to shake hands. I should think it was about as far as from here to that gentleman there, if you will excuse me pointing.
- Q. About two feet? A. Yes.
- Q. Where was your husband sitting? A. On my right.
- Q. And a figure came out? A. Yes, and stretched over and shook hands.
- Q. Over the first row of sitters? A. Yes.
- Q. And put out its right hand? A. Yes.
- Q. And your husband put out his right hand? A. Yes.
- Q. Did you see the face? A. No.
- Q. Did you see through the curtain at all then? A. No.
- Q. Did you see any materialisation? Was the curtain open? A. No, sir.
- Q. On one occasion we are producing evidence to say that the curtains were thrown open and both the figures were seen separately. A. No. The only time I saw a part of the curtain open was when a hand came through with the bird, but I never saw the curtain open at any other time.
- Q. How old is your husband's aunt Sally? A. Sister Sally.
- Q. Yes? A. I think she must have been about thirty.
- Q. About thirty? A. Yes; if she was quite so old as that.
- Q. Quite young? A. Yes.
- Q. With regard to your own mother, you say she was ninety-three? A. Yes.
- Q. When your mother appeared to you—did she appear twice or three times? A. Three times. She came to me on each evening.
- Q. At ninety-three the voice would be rather—what? A. Old, weak; her voice was very, very weak.

- Q. And it was on this occasion, was it not? A. Well, it was on some of the occasions. That is what she said: she was too weak to talk to me. But on the other two occasions it was stronger.
- Q. You were interested enough on the first occasion to ask to go again, were you not? A. Yes, of course I was, because I was anxious to find out about this dear boy who was missing. That was the only reason why I went.

THE RECORDER: Can I help you, members of the jury? Do you want to see the plan now?

A MEMBER OF THE JURY: We wanted to look at it.

THE RECORDER: Now?

THE JUROR: Yes.

THE RECORDER: Yes, you shall. Is this the plan which is going to be proved, Mr. Maude?

MR. MAUDE: Yes, my Lord, we can do that.

MR. PEDLER: Are the names there?

MR. MAUDE: Yes.

MR. PEDLER: That would only be for one occasion, the 19th.

THE RECORDER: Mr. Pedler, subject to the names being those on the 19th, is there any reason why the jury should not see it?

MR. PEDLER: No, my Lord, we entirely agree.

THE RECORDER: There it is, members of the jury, with the cabinet down in this left-hand corner; the window is on the left and the door here. There is a rostrum or platform at the other end of the room.

A JUROR: Are these three chairs at the end of the curtain?

THE RECORDER: Yes. Pay no attention to the names. We may hear what those chairs are. We have not heard about them yet.

VIOLET LONSDALE BRONSON, *Sworn.*

Examined by MR. MAUDE.

- Q. Violet Lonsdale Bronson, are you a married woman living at St. James's Road, Portsmouth? A. Yes.
- Q. Did you attend two seances at 301 Copnor Road, Portsmouth, on the 17th and 18th January? I want to ask you about the one on the 17th; do you remember that? A. Yes.
- Q. When the seance was over on the 17th, were you one of the three women who went to dress Mrs. Duncan? A. Yes.
- Q. To clothe her in her proper clothes, I suppose? A. Yes.
- Q. What did you hear her say when you went to do that? A. She asked what was the matter with the people.
- Q. Can you use her own words? A. No, I can't.
- Q. Put it in as accurate form as you possibly can? A. She looked strange and she asked what was the matter with the people, and the other woman assured her that she had done all right, but I didn't speak.
- Q. What did she say? "What is the matter with the people?" A. Yes.
- Q. How did she go on? A. The other two people in the room said, "You have done all right", but I never spoke.
- Q. Was anything said about people's faces? A. Yes.
- Q. What did she say? A. What was the matter with them?
- Q. What did she say about faces? A. That is all.
- Q. You have not mentioned faces yet? A. She said, "What is the matter with the people?"
- Q. Did she say anything about faces? A. No.
- MR. PEDLER: No questions.



OTHER "SPIRIT EXTRAS" ADDED TO EXHIBIT 4 BY
SERGEANT TAYLOR



OTHER "SPIRIT EXTRAS" ADDED TO EXHIBIT 4 BY
SERGEANT TAYLOR

AMY KITTY ELIZABETH JENNINGS, *Sworn.*

Examined by MR. MAUDE.

- Q. What is your full name, please? A. Amy Kitty Elizabeth Jennings.
 Q. Are you a widow living at 82 Pretoria Road, Southsea? A. That's right.
 Q. Are you the Acting Assistant Controller—— A. No; I am Supervisor of Main Control, Portsmouth.
 Q. Is that A.R.P.? A. Yes.
 Q. Did you go on the 19th January of this year in the afternoon to 301 Copnor Road, Portsmouth, to a seance? A. Yes.
 Q. I don't want to take you through everything that happened, but do you remember some sort of manifestation in connection with the name of Peggy? A. I do.
 Q. What was that? A. Peggy, the so-called spirit, came out and she talked rather rapidly in Scotch, and during her talk she turned round to Christine and asked her if she could remember going to a perfume bottle and finding something was missing from it.

THE RECORDER: Can you say who Christine was? A. I understood that Christine was Mrs. Homer's daughter. Christine for a moment did not reply, and she said, "Well, you remember going to the perfume bottle", and Christine and Mrs. Homer said, "Oh, yes, yes, that's right". Then Peggy went on to say that it was not Mrs. Homer that had taken the perfume from the bottle; it was she herself who had done that, and it was very nice. Also she had tried the lipstick which she had found, but she did not like that at all because it was like candle-grease. That was the conversation held with Christine.

Q. Was there anything about kissing? A. Yes, Christine asked Peggy if she would kiss her, and Peggy did not go near her at all to give her a kiss.

Q. What did Peggy look like? A. Well——

Q. Did she look like Helen of Troy, or a pillow case, or what did she look like? A. There was no definite shape. I should say that it was a figure roughly my own height. It was a figure like a white sheet draped over it. That was the impression I had. I could see no features at all.

Q. Do you know Mr. Homer? You see the gentleman sitting here, with spectacles on; did you see him at the meeting? A. Yes, I did see Mr. Homer at the meeting.

Q. Can you remember any conversation between him and Peggy? A. Yes. Mr. Homer asked Peggy if she had hidden some papers belonging to him and Peggy said that she had not, and Mr. Homer said, "Oh, well, I thought perhaps you had", and Peggy said, "No, I can tell you where they are". She did tell him, but I can't remember where she told him to look.

Q. How did Mr. Homer take that? A. I don't think he made any reply; he just sort of said, "Thank you", as you would if you were talking to an ordinary person.

Q. While you were there, did you hear a voice that was supposed to be Albert's? Do you remember an individual, or whatever you may call it, called Albert? A. Yes, I remember Albert quite well.

Q. Did you see Albert? A. All I saw of Albert was a head and shoulder effect coming through the curtain. The impression I had was that it could have been something or somebody thrusting their head and shoulder through the curtains. That also was in this white material, or whatever it is.

Q. Was it possible to see whether Albert was bearded or had a moustache? A. I couldn't tell you that at all.

Q. How much could one see of the face? A. At all the various manifestations I saw, I saw no features at all.

Q. Did you hear the so-called Albert's voice? A. Yes.

- Q. Did you hear Mrs. Duncan's voice? A. I heard her when she came into the room.
- Q. How did they compare? A. My first feeling about it, as soon as I heard Albert speaking, was: That is the voice of Mrs. Duncan. That is the first impression that I received.
- Q. Have you any experience of disguising the voice yourself? A. Well, I have been for many years on the stage; I have played with people who have had to disguise their voices and I myself have, on occasion, had to disguise my own.
- Q. Have you any doubt about the identity of the two voices? A. I can only say that in my opinion it definitely was the voice of Mrs. Duncan. That was the very first thought that went through my mind.

Cross-examined by MR. LOSEBY.

- Q. I understand that you had a conversation with Mrs. Duncan? A. I had not an individual conversation with Mrs. Duncan, but Mrs. Duncan came into the room, and she asked roughly, "Has my clothing been examined? Has the cabinet been examined? Is everybody satisfied?" She stood up and said that. That was when I heard her voice.
- Q. You did not get any impression as to whether she was an educated woman or a clever woman? A. I did not give it a thought to judge her.
- Q. Hearing her speak, did it give you the impression that she might be able to speak in cultured English? A. I did not give the matter a thought at all. I just heard her speaking, but I did not go there intending to try and find out whether it was Mrs. Duncan's speaking voice. I had no idea that it might be a fraud at all.
- Q. If, added to appearing like Peggy, she spoke in various English dialects, that would make it more difficult, would it not, even for an actress like yourself? A. It would be difficult unless you were very used to doing it.
- Q. And more difficult still if she spoke in different languages? That would make it very difficult for the ordinary actress, would it not? A. In languages, do you mean, or dialects?
- Q. Dialects and languages. She would have to be a rather cultured and clever woman for that? A. Not cultured for dialects.
- Q. Languages? A. But there was no language spoken other than dialect.
- Q. You have formed your opinion from one sitting. You have been once, and once only; is that right? A. That's right.
- Q. And you freely give your opinion. By the bye, when you gave your statement to somebody or other, which has been given to me, did you use these words, "Peggy sang and danced about in front of the curtains"? A. Yes, she did; she jigged. It was a sort of light, breezy, airy movement, up and down. You would not call it a specific dance. It was just a light movement, and a little song she sort of hummed, like you would in a house; sort of humming around the room.
- Q. She did not dance about in front of the curtains, did she? A. Oh, yes.
- Q. When she danced about in front of the curtains, about how far from the curtains did she get? A. I should say eighteen inches.
- Q. Outside the curtains? A. She was not clinging to the curtain all the time.
- Q. I did not ask you that. I said 'outside the curtain'. A. Oh, yes, away from the curtains.
- Q. Did it occur to you that that would be a matter of difficulty for anyone impersonating to dance about outside the curtains, or did you form a theory about that as well? A. No, I did not form a theory about that at all.
- Q. Did you form a theory about Albert's voice? Would you suggest to the

jury that you thought that was Mrs. Duncan's voice? *A.* That was the first thought I had.

Q. There was Peggy dancing about outside the curtain. Don't mind hurting my feelings! Did that give you the impression that that also might be Mrs. Duncan imitating Peggy dancing outside the curtains? *A.* Yes, I had the feeling that it was not genuine.

Q. You are an actress. Mrs. Duncan is a particularly big woman, have you seen her close enough? *A.* I saw her in the room.

Q. The figure that you saw dancing about, could it have been done by a woman as big as Mrs. Duncan? That is all I am asking you. A big heavy woman, a big fat woman, if Mrs. Duncan will forgive me? *A.* Well, the room was dark; it was a very dark room. It could have been, yes.

Q. The truth of the matter is, you saw Peggy well enough to know if she was dancing about outside the curtain.

THE RECORDER: Could you see her face? *A.* I saw no face at all, my Lord.

MR. LOSEBY: No, no, but, of course, it is the figure that I am referring to. You have referred to your experience as an actress. Stand up, Mrs. Duncan, to remind her. *A.* Yes, I remember Mrs. Duncan.

Q. Given your experience as an actress, would you have thought that Mrs. Duncan could impersonate fairly easily a slim young girl? *A.* I would not say fairly easily, but I think Mrs. Duncan could impersonate a slim young girl, yes.

Q. In such a way that she must be plainly seen by somebody? *A.* You could not see anything at all very plainly.

Q. If you got near enough? *A.* I was not allowed to get near enough.

Q. The truth of the matter is you were not near enough to form an opinion one way or the other? *A.* Yes, I was; I was quite near enough to see what was going on. The whole room was not a large room.

Q. What was the nearest you got to any materialised form?

MR. MAUDE: Shall we say to the curtains?

MR. LOSEBY: Anything you like. *A.* To the curtains? I was in the centre. There were only two rows of chairs. I don't know how big the room was in feet, but I should say I was about four to five feet from the curtain.

Q. Were you at any time nearer to any materialised form, or something purporting to be a form, than two yards? *A.* I was nearer than that.

Q. What was the nearest? *A.* One materialised form came out and got a little closer even than Peggy did, and I should say I was about four feet from that. There was a row of people in front of me.

Re-examined by MR. MAUDE.

Q. You talked about Peggy jiggling up and down: would the light be good enough, even at two yards? Do you see that lady in the jury-box; were you as close as that, or closer? *A.* I should say I was, roughly, about this distance.

Q. At that distance, were you able to see whether the shape of Peggy was revolving or not? *A.* I had no impression that the figure revolved.

Q. It did not revolve like a globe, but like the moon? It presented one face always to you? *A.* Yes.

Q. You never saw the other side, so to speak, of Peggy? *A.* No, I did not.

Q. Did she suffer an eclipse at any time? Would she suddenly appear and then disappear? *A.* No. As each spirit disappeared, they disappeared altogether.

Q. Which way did they go? *A.* The head portion went first and then the shoulders down. I was interested, and I stood on my feet to look over everybody's head, and the last thing one could see was a bit of white on the floor. They all disappeared in the same way.

- Q. What was the next thing that happened? Are the curtains closed at the moment when the bit of white appears on the floor? A. The curtains were closed all the time.
- Q. Of course, there was no light behind them? A. No, the red light was behind the audience.
- THE RECORDER: Did you pay a fee to attend this? A. Yes, my Lord, 12s. 6d.
- Q. With regard to this person named Christine, to whom Peggy spoke in Scotch, was Christine a living person? A. Christine is a living person.
- Q. She is said to be Mrs. Homer's daughter? A. Yes.
- Q. She was in the room, was she? A. Yes, she was. She was sitting in front of me.

THOMAS CONYNGHAM RUPERT CROSS, *Sworn.*

Examined by MR. ELAM.

- Q. Thomas Conyngham Rupert Cross, are those your full names? A. Yes.
- Q. Are you a War Reserve Police Constable of the Portsmouth City Police Force? A. Yes.
- Q. On the 19th January of this year, did you go with the witness, Lieutenant Worth, to 301 Copnor Road, Portsmouth? A. Yes.
- Q. Were you both, as we have heard from him, acting on police instructions? A. That's right, sir.
- Q. As we have heard from him, had he paid 12s. 6d. for your seat? A. That's right.
- Q. Did you know about that? A. Yes, sir.
- Q. Did you with him attend a meeting at which Mrs. Duncan was present? A. Yes.
- Q. Was Mr. Homer there? A. Yes.
- Q. Mrs. Homer? A. Yes, sir.
- Q. Mrs. Brown? A. Yes.
- Q. Where were you sitting? A. In the second row.
- Q. Who was next to you? A. Mr. Worth was on my right.
- Q. And the other side? A. A petty officer in the Navy.
- Q. Who was sitting in front of you in the front row? A. Mr. Homer.
- Q. Where was Mrs. Homer? A. Facing the audience.
- Q. Mrs. Brown? A. Behind us, standing.
- Q. Where was Mrs. Duncan when you last saw her? A. Mrs. Duncan came in at the door, walked across in front, stood in front of the curtains and eventually sat down in the chair.
- Q. Behind the curtains? A. The curtains were then drawn by Mrs. Homer.
- Q. What happened eventually? Tell us about something happening rather quickly. A. There were a number of appearances of a so-called spirit and there were conversations between this spirit called Albert and people in the audience.
- Q. Did you see anything appear, or purport to appear? A. Yes.
- Q. What was that? A. The spirit of a woman first.
- Q. And then? A. Followed by another woman and then a man.
- THE RECORDER: Was there any difference in the form? A. No, my Lord, just a white blur.
- MR. ELAM: What happened after the white man, as I call it, appeared? Did something happen then? A. Yes. I pushed forward the chair on which Mr. Homer was sitting and jumped forward, and Lieutenant Worth then switched on a torch and I seized Mrs. Duncan by the arms.
- Q. Where was Mrs. Duncan when you seized her? A. She was standing between the curtains, and the moment the torch was switched on and I was about to seize her by the arms, she was hurriedly pushing a white cloth which was up to here, hurriedly down her front like this towards the floor.

- Q. How near were you to her when you saw her doing that? A. As I reached out to grasp her—
- Q. What happened? A. The sheet dropped to the floor and Mrs. Duncan stepped a little to one side, to the right, and I held her with my right arm and her left arm, and reached down for the sheet with my left hand. I grasped it and at that moment it commenced to move away from me in that direction towards the audience.
- Q. That is away from Mrs. Duncan? A. Yes. I still held Mrs. Duncan with my right hand.
- Q. What happened? A. I felt the cloth, which appeared to be a very flimsy substance—
- Q. It has been referred to as a sheet; I want you to describe it. A. The nearest description I can give of it is that it appeared to me to be similar to butter muslin; I actually felt it and held it for a moment, before it was pulled away. I then stood up and pulled back the curtains covering a corner of the room; and the empty cabinet, as it was called, was clearly shown in the light of the torch.
- Q. Can you help us any more about which direction the butter muslin, as I prefer to call it, disappeared? A. Only that it went directly towards the front row. The people in the front row were sitting approximately two feet from the spot where the butter muslin dropped.
- THE RECORDER: Where was Mr. Homer? On your right or your left? A. Immediately in front of me, my Lord, where I was sitting.
- Q. When you went through? A. On my right.
- Q. You went between him, did you? A. Yes, and the next person on his left.
- Q. Who was that? A. Mrs. Gill, I think.
- MR. ELAM: Did you see Mrs. Duncan doing anything? A. Yes. When the lights were switched on, Mrs. Duncan was bending down putting on her shoes.
- Q. Did you tell her you were a police officer? A. I told her I was a police officer.
- Q. Was she arrested? A. I arrested her and she almost immediately sat down on a chair and appeared to be very ill. Up to that time she had been standing.
- THE RECORDER: Did she complain of being ill? A. She then complained of being ill and asked for a doctor.
- MR. ELAM: What did she look like? A. She had a very deep colour, sir, a very red, ruddy colour.
- Q. In Mrs. Duncan's presence and hearing did you say anything to Lieutenant Worth? A. Yes, sir, after Detective Inspector Ford had entered the room, that was some moments after—
- Q. Yes, a whistle had been blown as a signal, had it not? A. Yes. I asked him if he had found a sheet which he had been looking round the room for, and he replied, "No, it's gone"; and Mrs. Duncan, who had overheard this, said, "Of course, it's gone; it had to go somewhere."
- Q. You told us Detective Inspector Ford came in; in fact, he was in at that moment, was he not? A. He was in at that time, yes.

Cross-examined by MR. LOSEBY.

- Q. I put it to you that your last words are completely untrue, that Mrs. Duncan did not use the words, "Of course it's gone; it had to go somewhere." I put it to you that she was palpably ill.
- THE RECORDER: Do you want an answer to the first part of your question?
- MR. LOSEBY: No, my Lord, I do not. I was putting my final question, really. She was palpably ill after your onslaught? I put it to you that she was palpably ill after your first onslaught. A. No, sir, she was not.

Q. And was not capable of anything except something in the nature of groans; that is all I put to you about that.

THE RECORDER: Did she groan? A. No, my Lord, she was not incapable.

MR. LOSEBY: Was she palpably ill? A. No, sir.

Q. There were a good many other people present, were there not? A. Yes.

Q. You, of course, throughout, were merely carrying out orders? A. Yes, sir.

Q. You were merely carrying out orders? A. Yes, sir.

Q. You are a married man, I suppose? A. Yes, sir.

THE RECORDER: Then you are accustomed to carrying out orders, are you?

MR. LOSEBY: Under any circumstances, Mr. Cross, and I am not laughing about this, I put it to you that you did not like your job. You did not like your job, did you? A. I was prepared to obey instructions, sir.

Q. You were prepared to obey instructions, and did obey instructions? A. Yes.

Q. As a matter of fact you did not like it, did you? A. I had no opinion on the matter at all.

Q. Were you feeling ill that day? A. No, sir.

Q. You were observed to be trembling rather badly, shaking. Were you shaking afterwards? A. No, sir.

Q. Is that quite untrue? A. Yes, I should think so, sir.

Q. Nothing happened to frighten you? A. No, sir.

Q. Did it? A. No, sir.

THE RECORDER: Did you feel any tingling anywhere? A. I don't think so, my Lord.

Q. I am putting it quite seriously: had you any unusual experience at all? A. No, my Lord, definitely not.

MR. LOSEBY: What I am going to put to you, Cross, is that it was plain to everyone in the room that something had happened to frighten you; I am referring to your whole demeanour. I am suggesting to you that you were going like this, after you had made your attack on Mrs. Duncan. I am putting it to you—

THE RECORDER: I am sure he understands the question. (*To the witness*) Now what is the answer? A. No, sir.

THE RECORDER: So that we can make some progress.

MR. LOSEBY: The plan was that you were to dart forward and, as you darted forward, a torch was to flash on? A. Yes.

Q. That was the plan, and then you knew that the place would at that time be surrounded and some five or six policemen would come in immediately? A. Detective—

Q. I put it to you, first and foremost, when was it exactly—I want to get this right, if I can—that you started forward; was it upon the third apparent materialisation, or the second? A. The third, sir.

Q. I put it to you that you even lost your head there, that you darted forward after the materialisation, or whatever you call it, had nearly gone. Do you understand me? A. Yes.

Q. Was it in the process of disappearing when you darted forward? A. No, sir.

Q. You mean it was in full view when you darted forward? A. It had only just appeared.

Q. Then happened incident No. 1, didn't it? You were grabbed by somebody, were you not, namely, by a woman known as Mrs. Gill? A. No, sir, I was not.

Q. Can't you remember that? A. No, sir.

Q. I put it to you, but you say you were not? A. I was not, sir.

Q. I put it to you that you were firmly grabbed, so that you really could not

mistake it, and that you fell forward, through the curtains. Do you follow me? A. I follow you, yes, sir.

Q. And that you fell forward in such a way—I want you to correct me if I am wrong—that the curtains were thrown wide open at the time when the torch went on. A. That is not correct.

Q. I am only putting to you what witnesses are going to say, and that you were immediately observed sprawling over Mrs. Duncan, she at that time being plainly observed in the chair. What do you say about that? A. That is not correct, sir.

Q. For how long, just approximately, did she remain standing? A. I do not understand the question, sir.

Q. You saw her standing? A. Yes, I saw her standing.

Q. I want to know approximately how long did she remain standing? A. Do you mean after she pushed the sheet to the ground?

Q. After you had gone through the curtain, for how long, approximately, did she remain standing? A. Some moments, sir; it might have been a minute.

Q. Was it a minute—a minute is sixty seconds, you know; just think before you answer? A. It was approximately a minute.

Q. I want to put it in another form. Approximately sixty seconds; will that do? A. Yes, sir.

Q. What happened after that? I want you to describe Mrs. Duncan's movements. For sixty seconds she was standing; tell me anything that she did that you observed during that sixty seconds. A. I have already described what occurred during that sixty seconds.

Q. I am getting it timed. While she was standing, tell me, during that sixty seconds, what did you observe her do, or what do you say you observed her do? A. I reached down for the sheet.

Q. You did what? A. I reached down for the sheet which was on the ground.

Q. No. I am asking you what *she* did? A. She stood to one side from the opening between the curtains.

Q. At some time or other——

THE RECORDER: Cannot we have a description? Go on. Do let us try and get on a little bit. A. I reached down for the sheet.

MR. LOSEBY: Forgive me, but I am not asking you what you did; I am asking what she did during that sixty seconds.

THE RECORDER: Do you know what she did? A. Yes, she stepped to one side. I told her that I was a police officer and that I arrested her, and she then sat down on a chair.

MR. LOSEBY: After a full minute? A. Yes.

Q. Did you do anything else after she was sitting in the chair?

MR. MAUDE: He never said after a full minute at all.

MR. LOSEBY: I put it as sixty seconds, so that there could be no misunderstanding.

MR. MAUDE: You put it very carefully approximately.

MR. LOSEBY: I quite agree. (*To the witness*) You have told me nothing about anything she did in regard to the sheet whilst she was standing. If you want to say so, I want you to do it now. When was it, if at all, that you saw her make any suspicious movements in regard to what you call the sheet? A. As I leaped towards her, she was pushing the sheet towards the ground.

Q. Was that when she was sitting down? A. No, she was standing between the curtains.

Q. You mean in the sixty seconds that we have been referring to? A. From the time I jumped forward, that is what happened. She was pushing the sheet towards the ground; I took her by the arms; she stepped to the right hand side a little; I reached for the sheet; I stood up again; I pulled

the curtains back, showing in the light of the torch the empty cabinet; I then told Mrs. Duncan that I was a police officer and that I arrested her, and she then sat down on a chair which someone pushed forward for her.

Q. I am only wanting to be clear on one point. Did you see this all happen when she was standing and during that sixty seconds? A. Approximately, yes.

Q. Where did she go after the sixty seconds? A. She was seated on a chair which someone had provided for her.

Q. On a chair? A. Yes.

Q. Did you touch her at all after she was sitting in the chair? A. No, sir.

Q. Do you swear that? A. I did not touch her, sir.

Q. I do not want there to be any misunderstanding about it. Are you quite sure that you did not swing her, sitting down in her chair, right outside the cabinet? A. Quite certain that I did not.

Q. You are quite certain of that? A. Yes.

Q. Several witnesses are going to swear that they saw you do it. At any rate, you say that is incorrect? A. Yes.

Q. Are you quite sure that in that period of time you did not throw her loose slippers off? A. Quite certain, sir.

Q. You are quite sure about that, are you? A. Yes, sir.

Q. I want to be clear because this may be completely vital. When do you say it was that you saw her trying to put her slippers on? Was it inside the first sixty seconds? A. When she was still bending, when the lights were switched on.

Q. Immediately? A. Immediately after I had pulled the curtains back the lights were switched on. Someone put the bulb back into its socket, and she then was bending down and putting on black court walking shoes, which had been handed round to the audience before the meeting commenced.

Q. You say that she bent down. Did she succeed in putting her slippers on? A. She put shoes on, yes, walking shoes.

Q. She bent right down to the ground and put them on in that way with her hands? How did she put them on? A. She bent down and put them on.

Q. Did she pick them up? A. She moved them into appropriate positions on the floor.

Q. With her hands? A. With her hands or one hand, and put her foot into it.

Q. Did you see her move the slippers with her hand? A. Yes.

MR. MAUDE: He says they were walking shoes.

MR. LOSEBY: Very well. (*To the witness*) Would you be surprised to know that it is physically impossible for her to stoop down and pick slippers up with her hands? A. I didn't say she picked them up.

Q. I understood you to say that she stooped down and moved the slippers with her hands? A. She moved the slippers with her hands, yes, sir.

Q. That is correct, is it? A. That is correct.

Q. I am only putting it to you in order that you may correct it. Would you be surprised to know that she is not physically capable of such a movement? A. That is correct, sir, the statement that I have made.

Q. If you cannot tell me this, say you cannot tell me. When once she had got her slippers on, did they remain on? A. As far as I know, yes, sir.

Q. You, for example, did not do anything that might have thrown her slippers off? A. No, sir.

Q. You did not see any movement on her part that might have thrown her slippers off? A. No, sir.

Q. Again, in order that you may correct yourself if you think right, would you be surprised to know that her slippers were put on her at a later stage by a witness who will be called? A. I saw her put them on, the shoes.

- Q. I am telling you quite fairly, I hope, in advance. Can you explain that if your story is true?
- MR. MAUDE: My Lord, may I interrupt for one moment? In order that there should be no misunderstanding, I beg my learned friend, when he means shoes, to speak of shoes, because there may be some difference between slippers and shoes. The witness calls them walking shoes.
- MR. LOSEBY: There is only one pair of shoes concerned, is there not? A. Yes.
- Q. You are talking throughout of Mrs. Duncan's shoes? A. Mrs. Duncan's shoes.
- Q. They were loose court shoes, were they not? A. Yes, sir; they were a pair of black court shoes.
- Q. Now with regard to this sheet. Of course, you went there with the determination of getting hold of this white thing, whatever it was, did you not? A. No, sir, not necessarily.
- Q. You must have had some scheme, or been given some scheme; you had some scheme in your mind? A. If I was satisfied it was fraud, I had instructions to do what I did do.
- Q. What was that, to do what? You would not rush forward without any notion of what you were trying to do? A. I was trying to seize Mrs. Duncan.
- Q. What were you trying to do?
- MR. MAUDE: He says, to seize Mrs. Duncan.
- MR. LOSEBY: Yes, I follow that. (*To the witness*) And the white something? A. Yes.
- Q. You got hold of the white something in your hand? A. Yes.
- Q. You, of course, would understand the importance of that; is that right? A. Yes, sir.
- Q. Where was it when you got hold of it, as near as you can tell us? A. It was on the floor, between about six inches and a foot outside the curtains.
- Q. Did you get firmly hold of it? A. I caught hold of it, sir; I did not get a really firm grip, or it would not have been torn away from me.
- Q. Is the phrase right, 'torn away'? A. It was pulled away.
- Q. And you held on to it as well as you could? A. With my left hand, yes.
- Q. That, of course, would stretch it out, would it not? A. I couldn't say.
- Q. Was there any resistance given by your left hand holding the prize? A. Some, presumably, yes.
- Q. Then it inevitably follows, does it not, that the pull would stretch the cloth out? It was a large cloth, was it not? A. It was a large cloth, did you say?
- Q. Yes, large and white? A. It covered Mrs. Duncan from here to the floor.
- Q. And Mrs. Duncan is no inconsiderable figure, so we could not quarrel about that. It was a large cloth? A. It covered the front of Mrs. Duncan.
- Q. You were trying to hold it and it was pulled towards the left? A. Towards my left, yes.
- Q. And went, so you said, in the direction of Miss Homer; is that right? A. Approximately, yes.
- Q. Miss Homer was sitting in the window seat and close to the curtains. If that had happened it must have gone by Mr. Gill, Mrs. Alabaster and Miss Homer, must it not? A. Gone by them?
- Q. Yes? A. I don't understand you.
- Q. Miss Homer was sitting in the window seat and close to the curtains, was she not? A. Yes.
- Q. Next to her was a Mr. Coulcher? A. That is correct.
- Q. Next to him was a Mrs. Alabaster and next to Mrs. Alabaster was a Mr. Gill? A. Yes.
- Q. Those people are going to give evidence, and what I am going to suggest

to you—correct me if I am wrong—is this. This white sheet, if it had been pulled towards the window, must have gone by those people, or, at any rate, those three people must have seen it. Is that correct? *A.* I could not say, sir; I could not tell you whether they saw the sheet or not.

Q. I do not say that it must have gone by them.

THE RECORDER: All he knows is that it disappeared. He does not know where it went.

MR. LOSEBY: He can help me as regards the position.

THE RECORDER: He says he cannot.

MR. LOSEBY: Were the seats so situated—may I put it this way?—that, if your story is true—you see, Cross, I am putting that it is completely untrue—it must have been seen by the people sitting in those three particular seats? *A.* I cannot say whether it was or not, sir.

Q. Under any circumstances, you actually suggested to Miss Homer that she had got it, didn't you? *A.* No, sir.

Q. Did you not? *A.* No, sir.

Q. Did anybody suggest to Miss Homer in your presence that she had got it? *A.* Not in my presence, sir, no.

Q. But you were there, were you not? This precious sheet had gone: what steps did you take to recover it? *A.* What steps did I take?

THE RECORDER: Yes, that is the question? *A.* I looked round the room on the window seat and round the back of the room.

MR. LOSEBY: But you had gone there for no other purpose. You know where it had gone. It had gone in the direction of Miss Homer? *A.* It had gone to where Miss Homer was sitting, approximately.

Q. And so it was suggested, in order to reassure you, that she should be searched? *A.* I did not hear her say so.

Q. Did you hear anyone say so? *A.* Yes.

Q. Did you challenge Miss Homer, or challenge anybody in the direction in which you had seen the sheet go? *A.* No, sir.

Q. The truth of the matter is you knew at that time there was no sheet, did you not? *A.* There was a sheet.

Q. What I put to you is that possibly, when you rushed or fell forward, you thought there might be something, but when this slipped through your fingers, you know that whatever else it was it was not a sheet? *A.* I saw Mrs. Duncan pushing the sheet downwards towards the ground, and I felt it actually on the ground and held it for a moment.

Q. Can you give any explanation of any kind why six of the Portsmouth police coming to search did not find the sheet, if there were a sheet?

THE RECORDER: He cannot answer for six; he can answer for himself.

MR. LOSEBY: Answer for yourself, Cross, because you yourself in a frightened and terrified manner put yourself to search, did you not? *A.* I looked round the room.

THE RECORDER: Where did you look? *A.* On the window seat and round the back of the room.

MR. LOSEBY: In the direction in which you said the sheet had gone? *A.* The sheet went towards the window seat.

Q. You never looked towards the window seat, did you? *A.* Yes, I did, sir.

Q. But no person in the direction in which you said the sheet had gone was interrogated, were they? *A.* I did not interrogate anybody.

Q. Tell me in detail, as quickly as you like, where did you search?

THE RECORDER: He has told us twice where he looked, and he said that was all he did.

Re-examined by MR. MAUDE.

Q. Have you had any practice as a weight-lifter? *A.* No, sir.

Q. It is suggested that you swung this substantial person in the chair right

outside the curtains. Did you? Do you think you could do it? Do you know what she weighs? *A.* Yes.

Q. What does she weigh? *A.* I have been told she weighs twenty stone.

Q. Did you do it? *A.* No, sir, it is quite impossible.

Q. The other suggestion made to you is that it was spooks, or whatever you like to call it, that were operating, and that you are lying. Is there any truth in that? *A.* No, sir.

THE RECORDER: Whatever this was, if this was a spirit, you could feel it at all events? *A.* I distinctly felt the sheet, my Lord.

MR. MAUDE: My Lord, I think this would be the appropriate witness to prove the plan.

THE RECORDER: Yes.

MR. MAUDE: Do you produce a sketch plan of the room in which you were present, and where Mrs. Duncan was arrested? *A.* Yes, sir.

THE RECORDER: Did you make it? *A.* I sketched it roughly, and it was afterwards gone over in ink.

Q. What were you in private life before you became a War Reserve policeman? *A.* A bookseller, my Lord.

ENA NICHOLS HARRIS, *Sworn.*

Examined by MR. MAUDE.

Q. Is your name Ena Nichols Harris? *A.* Yes.

Q. The wife of George Harris, a charge hand employed in His Majesty's Dockyard, Portsmouth? *A.* Yes.

Q. Do you live in Portsmouth? *A.* Yes.

Q. Did you go to the Spiritualist meeting on the 19th January, at 301 Copnor Road? *A.* Yes.

Q. Did you go to one in the afternoon and one in the evening as well? *A.* Yes.

Q. Did you pay, Mrs. Harris? *A.* Yes.

Q. In the afternoon? *A.* Yes.

Q. How much? *A.* 12s. 6d.

Q. What about the evening? *A.* I did not pay in the evening.

Q. Whom did you pay for the afternoon performance? *A.* Mr. Homer.

Q. Were you there when the policeman and Mrs. Duncan and the naval officer were engaged in some sort of skirmish? *A.* Yes.

Q. What was the light like before the incident? How much could one see in that room? *A.* You could not see anything. Pardon me, do you mean before the service started?

Q. No, I mean while it was going on, but before they had switched on the torch. How much could anyone see in the place? *A.* You couldn't see nothing.

Q. Do you know the accused, Mrs. Brown? She is the lady there at the end. *A.* Yes.

Q. After the police had arrived—and I am not interested to place it at any particular moment—did Mrs. Brown say something to you? *A.* Yes, after the police arrived.

Q. What did she say? *A.* She sat on my right at the back of the room and she asked Mr. Homer to ask his daughter Christine to say nothing.

Q. This woman asked you to ask Christine Homer— *A.* No, to ask Mr. Homer to ask his daughter to be quiet and say nothing.

Q. Did you do so? *A.* No.

Q. Did you pay any attention to it? *A.* No.

Q. Did Mrs. Brown say anything more to you? *A.* Yes. She said she had nothing to worry about.

Q. Anything else? *A.* No, not that I remember.

Q. Had you been there before the 19th January? *A.* Yes.

- Q. Were you on good terms with them all? A. Yes.
 Q. Did you know Mrs. Brown? A. No, I had never seen her before.
 Q. Did you know Mrs. Duncan? A. No.
 Q. Not those two? A. No.
 Q. Do you know the Homers? A. Yes.
 Q. Were you on good terms with them? A. Yes.

Cross-examined by MR. LOSEBY.

- Q. In reality Mrs. Brown said, "We have got nothing to worry about; Mrs. Duncan will give the police proof by giving them a private seance"; that was the full sentence? A. Yes.
 Q. Mrs. Brown is rather a talkative lady, is she not? A. Yes.

FREDERICK DAVID FORD, Sworn.

Examined by MR. MAUDE.

- Q. Is your name Frederick David Ford and are you a Detective Inspector of the Portsmouth City Police? A. Yes.
 Q. On the 19th January of this year did you go to 301 Copnor Road? A. Yes.
 Q. At about half-past seven did you hear a whistle, and upon that did you go in with a policewoman and a detective constable? A. Yes, sir.
 Q. About how many people were there in the room? A. Thirty, sir, in the audience.
 Q. Were the four accused there? A. Yes.
 Q. Where were they when you got into the room? A. Mrs. Duncan was sitting on a chair in front of the curtains.
 Q. That is to say, the lights were on, were they? A. Yes.
 Q. Mrs. Duncan was sitting on a chair outside the curtains? A. Yes, outside the cabinet. Mr. Homer, as far as I can remember, was sitting in the centre of the second row of chairs facing the cabinet, Mrs. Brown was sitting in the last row on the left-hand side, and Mrs. Homer was sitting on a chair near Mrs. Duncan.
 Q. Did you notice Mrs. Harris, the last witness, at that time? A. No, sir.
 Q. What did you do? A. I told the people in there to keep their seats, and I gave instructions for names and addresses to be ascertained.
 Q. And that was done, was it? A. Yes, that was done.
 Q. Were you able to ascertain the seating? A. No, it was ascertained at the time by Cross.
 Q. I mean through one of your subordinates? A. Yes, they had moved about a bit by the time I got into the room.
 Q. Through one of your subordinates you found out the seating? A. Yes.
 Q. And that is what had been put on the chairs. Did Cross say something to you? A. Yes. He said, "I had the sheet in my left hand, but somebody took it away from me, and it went into the audience."
 Q. Did he say where the person was sitting? A. Yes, he said on the left-hand side of the curtains.
 Q. Did you search the room? A. The room was searched; I helped to search it.
 Q. Was any cloth found? A. No, sir.
 Q. How did Christine Homer behave? A. She became very excited, sir, and asked me to have her searched, and several other people in the audience also demanded that they be searched.
 Q. What did you do? A. I asked the people in the audience to give me the cloth if it was in their possession. The cloth was not given to me, and I did not have them searched.
 Q. Can you give us the names of the persons who wanted to be searched? A. There was a general clamour among the audience to be searched.

- Q. Just a general "Search me"? A. Yes.
- Q. And you decided not to search anybody? A. Yes.
- Q. When you showed Mrs. Duncan the warrant, what did she say? A. She said, "I have nothing to worry about".
- Q. After Mrs. Duncan had left the building, did you see Mrs. Brown? A. I did.
- Q. Did you ask her into a room? A. Yes.
- Q. Did Lieutenant Worth go in with you too? A. Yes.
- Q. What did you say to her? A. I said to her, "I understand that at the seance on last Friday you showed this gentleman some photographs". She said, "Yes, I will show them to you; they are real spirit photographs and Mrs. Duncan is a genuine spirit medium". She then produced the photographs from her handbag, which she handed to me.
- Q. You know the various ways in which the Government collects money from the public? A. Yes.
- Q. Was there anything mentioned by Mrs. Homer in regard to that? A. She said, "Mrs. Duncan, as far as I know, pays no income tax."
- Q. Did you take a note at the time? A. Yes.
- Q. Just refer to it if you made it at the time? A. No, I have not a note, sir, but I remember now. She said, "As far as I know, she is the only one who does pay income tax".
- Q. Then did you have handed to you by Mrs. Brown Exhibits 1, 2, 3 and 4, and others in that envelope Exhibit 5? A. Yes, twelve other photographs.
- Q. As you were leaving those premises finally, did Mrs. Homer say something to the audience left behind? A. Yes. She said, "Never mind, friends; Jesus suffered like this".
- Q. Mrs. Duncan was complaining of illness, was she not? A. Yes.
- Q. Did you send for the Divisional Police Surgeon, Dr. Fiske? A. Yes.
- Q. When you charged her with the Vagrancy offence, what was the wording you used? A. "Pretending to hold communication with the spirits of deceased persons".
- Q. What did she say? A. She said, "What can I say?"
- Q. The next day, did you see Mrs. Brown again? I think you went to 6 Milton Road to get some medical things for Mrs. Duncan? A. Yes.
- Q. When you saw Mrs. Brown, what did she say about photographs? A. She said, "Those photographs were given to me twelve months ago by Mrs. Flet of 31 Berkeley Street".
- Q. London, do you mean? A. Berkeley Street, Sunderland. And, "Mrs. Flet told me that they were taken several years ago". She also said, "Mrs. Duncan wrote to me on the 6th January and asked me to accompany her from Sunderland to Portsmouth, as she was ill".
- Q. From where? A. From Sunderland to Portsmouth. "And I accompanied her to Portsmouth on the 10th January."
- Q. Did she tell you from where Mrs. Duncan had written? A. From Edinburgh.
- Q. Did she say she knew the Homers? A. She said she had never seen the Homers in her life before. She said that she had known Mrs. Duncan for the past twelve months, and that she met her at a seance at 24, Hawarden Crescent, Edinburgh.
- THE RECORDER: What is the address, 6 Milton Road? A. That is the address at which Mrs. Duncan and Mrs. Brown were lodging in Portsmouth.
- Q. They were lodging there, were they? A. Yes.
- Q. Mrs. Duncan is not a Portsmouth resident? A. No, my Lord, she comes from Sunderland.
- MR. MAUDE: When you went into the room, did anybody there say anything to suggest that the so-called cloth, or towel, or whatever you like to call it, rushed back into Mrs. Duncan's body? A. No, sir.
- Q. Or into anybody else's body? A. No, sir.

Cross-examined by MR. LOSEBY.

- Q. As to that, you are not in the least interested in the subject, and do not profess to be interested, do you? A. Not in Spiritualism, no, sir.
- Q. There were in all how many of you there for the purpose of searching? A. Two detective officers, myself and Detective Constable Reynolds, entered the room; Lieutenant Worth and War Reserve Cross were already in that room, and at another meeting in the same building were two other War Reserve officers, who had attended there on my instructions. One was to open the front door to let me in, and the other was to come to the room in which this materialisation seance was being held, so that nobody should leave the room until I arrived.
- Q. I put it to you there were eight of you? A. There were also two more in the alleyway at the back of the building.
- Q. There were eight of you in all? A. There were eight in all, yes, sir.
- Q. I suggest to you that your plan or scheme—I do not want to say anything disrespectful about it—was, was it not, to take Mrs. Duncan by surprise and catch her red-handed? A. It was, sir.
- Q. That was the plan or the scheme? A. Yes.
- Q. The point being that, surprised as she would be, she would have no time to conceal the apparatus with which the fraud was being done? A. No, my chief concern was to have Mrs. Duncan arrested in front of that curtain, and not sitting in the chair in the cabinet; and I based that upon what had been told me by people who had previously attended the seance.
- Q. You having applied your mind to it and being highly intelligent, would you also say it could not be done without apparatus? A. Yes, a sheet apparently was necessary.
- Q. Therefore, if we are intelligent and use our brains, and our heads, we shall find the apparatus? A. I don't know whether we should find it or not, sir.
- Q. You did your best to find it? A. We searched the room and could not find it.
- Q. There was literally none? A. I wouldn't say that, sir.
- Q. You say Christine Homer was excited; she had actually been insulted in your presence, had she not? A. I don't know. By whom?
- Q. Did you not hear her accused of having snatched the sheet away? A. No, nobody accused her of that.
- Q. Are you sure? A. Not in my presence.
- Q. Did several women ask to be searched? A. Yes.
- Q. Because the suggestion had been made, had it not, that someone in the audience were accomplices in the matter of fraud? A. Apparently so, yes, sir.
- Q. You were only doing your duty, of course, but anything more insulting could not be imagined, could it? A. I don't know. Somebody in the audience must have had the sheet.
- Q. Do you still think that? A. I do, sir.
- Q. Do you? A. Yes.
- Q. Is it fair to say that, when you searched nobody? A. I think so, yes.
- Q. You explained that in the court below by saying that you could not search without the assistance of a medical officer, did you not? A. I said then, and I still think—
- Q. What do you mean by that? A. I said then, and I still think that it would be necessary to have had the assistance of a medical man to have carried out a thorough search of the females in the room.
- Q. This is very, very important. What exactly do you mean by that?
- MR. MAUDE (to Mr. Loseby): Do you mean why?
- MR. LOSEBY: Yes, why? A. It would have been a medical man's job to do

that, to search a woman to the extent that it would have been necessary to find that sheet. Police officers could not do it.

Q. You had a woman officer there? *A.* One woman officer, sir.

Q. Are you suggesting that there was anything beyond stripping and the ordinary search that could possibly have been necessary? *A.* Yes, I still consider that it was a medical man's job to do that.

Q. Tell me what you mean. Why? What could a medical man have done in the direction of discovering any possible gateway of the sheet? What are you suggesting that a medical man could have done? Where could he have searched? Do not hesitate to say it; we are in a court of law.

A. I still think it would be necessary for a medical man to do the search.

Q. Do you mean she might have concealed it? *A.* She may have done, yes, sir.

Q. Is that the theory now. Who do you think might have concealed it, any possible person? Their feelings will not be hurt.

THE RECORDER: Are these anything more than speculations on your part?

A. No, my Lord.

MR. LOSEBY: Is there anything, apart from swallowing, that you think might have been done requiring a medical man? *A.* Yes, sir, I do.

Q. What? *A.* She might have secreted the sheet in another part of her body.

Q. What part of her body that would not have been revealed on a stripping by a woman? What are you suggesting?

THE RECORDER: These are all speculations, the merest speculation on the part of the police officer, Mr. Loseby.

MR. LOSEBY: My Lord, is he not trying to leave something on the mind of the jury that I do not understand? I am afraid of this on the mind of the jury. If he would only tell me in so many words, I would deal with it.

THE RECORDER: What more could he say? He has made it as plain as anybody could make it plain, without actually putting it into words. There it is. It is a matter you can comment upon and say that it is merely a worthless speculation on his part; and I should imagine he would probably agree with it.

MR. LOSEBY: Very well, my Lord.

Re-examined by MR. MAUDE.

Q. How long have you been a policeman? *A.* Sixteen years.

Q. And during the course of that time, have you found it necessary to employ medical men in the searching of persons who may have concealed things about their bodies? *A.* No, I cannot remember a particular case.

Q. Do you know of such cases? *A.* I do not know of a particular case, no.

Q. It is obvious there are certain places where things can be concealed? *A.* Yes, sir.

MR. MAUDE: My Lord, that is the case for the Crown.

THIRD DAY.—MONDAY, 27TH MARCH, 1944.

DEFENCE

MR. LOSEBY: May it please you, my Lord. Members of the jury, the case for the prosecution has concluded, and the time for the defence has now come.

My learned friend Mr. Maude very carefully—and, if I may respectfully say so, I should have thought wisely—made reference to a matter of

courtesy only; he made reference to a body of people called Spiritualists. Every one of the persons in the dock, I believe, but I am not quite sure, belongs to that body. My learned friend said that he should have thought that Spiritualists, that body of public opinion, would welcome a trial if charged in this court. My learned friend is quite right, and, just as he commenced with certain words of courtesy for the purpose of clearing away any possible prejudice, so I want to do so. It was at the express wish of the defence that these people were brought to this place; I, having been courteously consulted by the prosecution, agreed and asked for this course, because it is an opportunity long and eagerly awaited by that particular body of evidence; it is what they have always asked for, and it would be churlish and most dreadfully wrong if any complaint were made by any of them of a trial by a British jury at the Central Criminal Court, a prosecution undertaken by the Director of Public Prosecutions, and the prosecution entrusted to my learned friends Mr. Maude and Mr. Elam, representing the highest traditions of the English Bar. I would like to be allowed to commence by saying that all the elements are present representing British justice in its highest form. I want to say that from the beginning of the period of time that this case has been taken over by the Director of Public Prosecutions I have been granted every possible facility and every possible courtesy; of that there is no doubt. There is one matter—it does not concern you—of which you may have heard. You may have seen—I cannot blind myself to the fact that you read the press—that in the lower court, merely on the initiation of this case, I did make a certain protest which was listened to with great courtesy by the local Bench at the place where the matter was originally initiated under an Act called the Vagrancy Act of 1924 which imposes upon the police certain rather exceptional duties. If there is a complaint of any kind in the matter, I agree it is a complaint directed, not against the local Bench nor against the police, who are encouraged to act in a certain way. The complaint, if it be a complaint, is against the legislature which in the year 1944 allows a certain operation. I want to clear that up once and for all as far as this trial is concerned.

Members of the jury, I want to commence by calling your attention with as much precision as I can to the precise and exact charges that my clients—and I represent them all with my learned friend Mr. Pedler—stand charged with. First and foremost they are charged under the Witchcraft Act of 1735. That very fact is some kind of comment, or you may think it is some kind of comment, more particularly when you read the precise wording, on—shall we say—the difficulties of the prosecution in matters of this kind. My comment upon it is that I shall ask you to say, in the light of the evidence that you will hear later, that this particular charge is simply ridiculous—that and no more. It simply does not, and cannot be made to, apply to the facts of this particular case, even as presented by the prosecution. Just note what these four people are charged with: on divers days between December, 1943, and January, 1944, conspiring together to pretend to exorcise—

MR. MAUDE: No—"exercise".

MR. LOSEBY: I thought it was a misprint—"exercise or use a kind of conjuration, to wit, that through the agency of Helen Duncan spirits of deceased persons should appear to be present in fact in such place as Helen Duncan then was, and that the said spirits were communicating with living persons then present." The term there is that they conspired together to pretend to use a kind of conjuration. If I am charged, the ingredients of the offence must be proved against me. I am quite unaware that any of the evidence, even at this time, suggests that anybody at any time pretended, even if it was a false pretence, that Helen Duncan used a kind of conjuration. That

might have been applicable to certain persons of a certain type and kind in the year 1735. I don't know; I am not learned in the history of witchcraft; I have never been interested in that body of people called—possibly ridiculously called; I have long suspected it—witches; but there seem to have been such persons in the year 1735. For all I know, such persons may be found in the extremes of this country—I do not know—but is there in this case any kind of evidence that Mrs. Duncan has done anything more than hold herself out as a materialisation medium? She has been a person through whom, with or against her will, certain spirits from another world—I want to call a spade a spade from beginning to end—come. Can the Lord's Prayer be called a conjuration? Can just a few words, just an extempore prayer, possibly phrased as crudely as you may please by an ignorant person, if you like, come under the heading of conjuration? Does not the term 'conjuration' convey something totally different to you? Does it not apply to a certain quite different type of person? I do not want to say more about that now, because there is a very real and very precise charge. I tell you quite frankly that it will be my duty in the end to insist on such rights as I may have in the matter, and I tell you I am going to say, and I am going to ask you, hotly if need be, to say, that the Witchcraft Act of 1735 is completely obsolete as far as this type of case is concerned, and, as far as this case is concerned, simply and completely ridiculous. But there is an actual charge, and in regard to that I am going to venture to call the attention of my learned friends to the wording of it. This charge, Count No. 3, says that on the 19th January these people for the use or benefit of themselves caused a certain person to pay twenty-five shillings—for the use or benefit of themselves—by falsely pretending that they were in a position to bring about the appearance of the spirits of deceased persons. If my learned friend is not going to amend this indictment at all, that gives me, counsel for the defence, a way out that quite frankly I do not want, because I do not want any way out on a pure technicality. But just note the precise words, members of the jury. The charge is that they pretended that they were in a position to bring about the appearance of the spirits of deceased persons. Quite apart from my own evidence in the matter—and I shall call evidence before you—neither this nor any other medium would dream of making such a claim. By the bye, I do know that there are certain words alleged to have been said by Mrs. Homer, the rather talkative Mrs. Homer, if I may respectfully so call her, that might possibly bring Mrs. Homer in danger of that indictment. As far as I know, however, I have never heard of a medium—I am always referring to the evidence—who at any time claimed that he or she could bring about the appearance of a spirit from the other world at any time. What I should say in regard to that is this. It will be admitted, and freely admitted, that it has been said, "I am nothing; I am a person of no importance at all, but I do tell you that my body is used, or may be used—*may* be used". I am going, with the greatest respect, to say this. If my learned friend thinks at any time in the course of this trial that he is endangered by reason of any technicality, I shall not object to any amendment which will get rid of that technicality. My learned friend might have indicted me, if he had thought fit, and all these people, for fraudulently pretending that Mrs. Duncan was a materialisation medium, namely, a person through whom departed spirits contacted this world and took on a material form. As far as I am concerned, that would raise the whole issue, and it would not leave it open to me to take this purely technical point, which I do not want to take at all, but which I shall be compelled to take unless my learned friend thinks it right to amend. He knows much more about these things than I do, and perhaps I am dealing with, so far as he is concerned, nothing of value;

but it is of importance that I should say that I do not want to take a technical point.

Now comes the next, and I frankly admit that when I saw it I almost used a certain well-known word. I stopped, and I looked, and I wondered. Look at it, members of the jury. What we are charged with is, on the 19th January in Portsmouth, with intent to defraud, "caused Bessie Lock to pay the sum of seven shillings for the use or benefit of themselves by falsely pretending that they were in a position to bring about the appearance of the spirits of deceased persons". Let me say immediately that I shall not dispute that for a moment. Relying upon the words "falsely pretending", if those are the vital words, then I would agree that there was a public mischief; but if it be true, I cannot imagine that soldiers will fight less bravely because they are told that hope has become certainty, and that there is no such thing as death, and that continuity of life can be scientifically proved, and that if they care to see and listen reverently—I repeat the words—hope will become certainty. It is not a public mischief, is it, members of the jury, if it be scientifically proved that the ancient philosophies of the world that men hoped were true are true? Because that is the defence. I have been charged in plain words with pretending that through me the materialised forms of spirits come. I have not introduced the issue; and it is, is it not, a large issue if it is true? There are four people standing there, but only one of them, if the defence is true—and I hope they will forgive me for saying this—is a person of importance; but if the defence is true, there is one person there of great importance—if the defence is true—and that is the woman Helen Duncan sitting on the right. The defence is simply this: "I have held myself out as a materialisation medium. I have said it, not once, but a hundred times; I have done it over a period of more than ten years. I have not shirked the words as to what a materialisation means; I have shirked nothing, although I know nothing except by way of hearsay, what I am told. I am a materialisation medium, and, charged in this court, I ask to be allowed to prove it. I was a materialisation medium for ten years before the 14th January. On the 14th January I was a materialisation medium, and I can prove it. During the period of time that I was pilloried throughout the country as a fraud and an impostor and a cheat, I can scientifically prove that at all those periods of time I was a materialisation medium. It is true. On the 14th January—and Worth can sneer if he likes—even upon that occasion it was demonstrated to understanding people, who, like brave people, against public opinion will give evidence before you. I gave evidence of continuity of life, that people supposed to be dead were not dead at all, and I scientifically proved it". That is the defence.

Members of the jury, it is my duty to watch you, as it is my duty to watch my Lord, lest I should trespass; and I have got to watch your minds as well as I can, and I have got to fight for your minds; I have got to fight for your minds because it will be plain to you that I have undertaken a great burden. My task is not an easy one, only really for one reason, but I have got to do it; patient as you have been already, I have got to ask you to be still more patient, because I do not know, and I am struggling all the time to find out, the workings of your minds. You see, I have got to allege a fact which, if it were true, would revolutionise the philosophy of the world, and I have got to prove it. I am trying to prove in reality—why should I shirk it?—that it is scientifically proved (and I am going to prove it now) that there is a spirit world knocking at the door of this place, doing its best to contact, perhaps for the purpose of helping people here and helping this distracted world at this particular moment. I have got to admit facts so surprising in their nature, contrary to all ordinary views, that you may well say, "We want to hear no more, on your own

admissions". Just judge those facts—the mutilated form, the cat meowing, the dog, and the parrot. I have got to face up to it all. I have got to admit facts and ask you to draw conclusions so surprising in their nature that I know that you at this very moment must be saying to yourselves, "There can be only one answer". My learned friend was right; he was just. He emphasised it, if I may respectfully say so. He said in effect, "There can be only one conclusion; there was fraud somewhere". I have got to displace that, and I am going to displace it, with your help. I hope you will be patient with me.

A picture, and a clever picture, has been painted by witnesses for your benefit; and what is the picture? It is a picture suggesting the sordid, the obviously blatantly fraudulent; that is the picture; and running through your minds must be this just at the moment, "If there were a spirit world, they would not act in that particular way. It cannot be so. We know, for we have been taught, all about this other world. They simply would not, and therefore it is untrue, and there is a catch somewhere, and therefore we are going to draw the conclusion of fraud; that is the conclusion we are going to draw".

I tell you I have many witnesses here. I have witnesses here who were present on the 14th, and they will help you to retouch the picture so skilfully drawn by Mr. Worth; and I beg of you to keep your eyes on this very curious young man—an excellent witness. Incidentally, members of the jury, he was never better, was he, than when he was saying that which he afterwards admitted was a complete lie? I will deal with that in due course. He has painted a picture about what we did—the obviously, blatantly, fraudulent. I am going to call other witnesses who will retouch the picture, and I have no doubt of any kind that you will think they are trying to tell you the truth. I am going to call before you a flying officer, a dour middle-aged Scotsman, who will tell you that he not only sat with Mrs. Duncan upon the 14th but he sat with her upon a previous occasion. He will tell you, to the best of his recollection of the incidents, that Mr. Worth was inaccurate in every material particular. I know, and you should know, what the relevant points in that evidence were. It was wrong in every particular. That is the recollection of Mr. and Mrs. Mackie—Mr. Mackie, an investigator only, and not a Spiritualist. Incidentally, many of my witnesses are not Spiritualists, and, incidentally, they paid a fee of 12s. 6d. He will tell you that two of his people came through. His mother came through; he saw her; he spoke to her; he identified her, that same mother who had come through to him through Mrs. Duncan upon a previous occasion. He will tell you that upon the same occasion a friend came through, a soldier who was dead—so called—and who proved himself to be alive and identified himself.

May I pause, members of the jury, just to give you a thought in your mind? I shall give evidence by skilled investigators, purely scientific in their methods, that the whole trend of these communications has been observed and tabulated, and that as far as materialisation seances are concerned there is one point only, namely, evidence of survival, given quickly, shortly, and astutely, as though people were only applying their minds to one problem at that one particular moment—proof of survival. Proof is of itself a rock. Let us do one thing at a time—proof of survival, nothing else, however it is done; it is done in a certain way always; so that this evidence is given with astuteness, but always coming to this one same point: all kinds of things may be done that could not be done except by the purely spiritual. They are dealing with a scientific fact—if it be a fact for the moment using all the skill of which they are capable.

If you can get that possibility in your minds, you may follow more easily what I am trying to convey to you as being my defence. Flying

Officer Mackie had with him his wife who, I think, on the main points, corroborates his evidence. She does not remember every particular. A Mrs. Barnes will be called, and she will tell you that her father came through and spoke in a man's voice. Mrs. Barnes will tell you that she is short-sighted, and therefore does not speak with that degree of certainty always that she might be able to speak if she were not short-sighted. All she says about her father is that he came through and cleverly identified himself—cleverly—the incident of the hat. It is nothing more, if it be true, than a piece of cover (if you like to call it so)—joking, presumably, with a helmet. If they can materialise themselves, probably they can materialise a helmet. I am not suggesting that, when I am giving evidence, I know how it is done. Immediately following comes her grandchild, Shirley, a tot of a child, with the voice of a child, and the child places her baby fingers in Mrs. Barnes's hand and talks in a baby way, which is important, as far as the picture is concerned. If that be true, that was heard by other people present. It was heard, members of the jury; the voice was heard, and the features of the child were seen. I beg of you, look always throughout my evidence for features plainly seen—a nose, a mouth, ears—because you may very well be thinking that that cannot be done by Mrs. Duncan playing bogey-bogey with a sheet over her head—eyes, nose, mouth, ears, birthmarks, and that kind of thing. I beg of you to be looking for that kind of thing. That is Mrs. Barnes.

There is an old lady observed by several witnesses, and the point about that is this: I do not attach great importance to her from my point of view, because the only witness who could plainly identify her, I think, is Mrs. Homer, and Mrs. Homer is partly discredited because she is in the dock, but several witnesses will say that she was heard to sing in a voice that they thought—I am not quite sure that I can prove this up to the hilt—was Welsh. You will observe later on that you hear all these forms speaking in various dialects of Welsh, but this was a voice which spoke in Welsh.

Now I am going to interpose a witness for a second who illustrates the kind and type of witness. I am calling a witness who will tell you that her father appeared and was identified by his face, by his voice, by his personality, by certain subtle references that Mrs. Duncan could not have known; and her mother appeared and identified herself in a similar way. How do you recognise your father and your mother? Most people, one would think, if they were within a foot of them could do so. On both occasions she was embraced by the father and she was embraced by the mother, previously identified to her. If your own father, members of the jury, is close enough to you to be embraced by you, some of you may think you would be sufficiently astute to know whether it was your father or mother or Mrs. Duncan in disguise. I ask you to bear in mind throughout—I do not want to do Mrs. Duncan an injustice—that she is somewhere in the region of from eighteen to twenty stone in weight—I believe that is so; I am not quite certain—and big and bulky.

Then another witness who was in Portsmouth says an aunt came through whom she did not know, but an aunt who was a twin of her mother, and she observed that she was the dead spit of her mother, with one exception, that her mother had birthmarks upon her face and her aunt had none. The aunt spoke in fluent Spanish, the witness being able to converse and speak easily in Spanish. Mrs. Duncan knows no Spanish, just as she knows no Welsh.

Other witnesses will tell you that Albert—the guide, I will call him—is always alive to points of evidence; he is skilled on points of evidence; he has devoted all his energies to points of evidence. If he be a real personality, that is the job to which he has devoted himself. A witness

sees quite plainly and clearly Mrs. Duncan, the large Mrs. Duncan, unmistakably, seemingly in trance in her chair, and standing by her, and right apart from her, a large form that is six feet three inches in height, Albert himself, very able, very necessary, the kind of thing that would be done by an able personality working only in a red light where fraud might be suggested. "There is Mrs. Duncan. Here am I standing here just for a moment, as close as you like, but do not touch either of us."

On another occasion, quite by chance, the brother of a man on the 14th at Copnor Road, Portsmouth, appears. For some reason or another the curtain opens, and the form of the man is seen plainly, and Mrs. Duncan apparently is in a trance near him, but quite apart from him. That was all on the 14th.

In Portsmouth some little time before, a very humble woman, but popular, had died. She was known to several people present. She had certain marked characteristics. She was Mrs. Allen by name. She had a clear and typical voice, and a peculiar carriage, easily identified. Perhaps that was why she came. She showed herself and she spoke; she cleverly identified herself, her features, her bearing, her voice, her whole personality, adding to it just a few quick and clever touches of identification: "I am Mrs. Allen, still alive. I prove it to you in this way: I tell you this, I tell you that". She only has a few seconds in which to demonstrate it. See if you do not always see a certain cleverness of identification running through it, as though time was short and ability was necessary. Mrs. Allen was seen and identified by two or three people.

Mrs. Sullivan's mother came through on the 14th—there was no reference to this by Mr. Worth, although he must have heard it—her mother identified, spoken to, cleverly identified. That was all on the 14th.

Now, members of the jury, of course, if you believe that Mr. Mackie saw his mother and his father, that Mrs. Barnes saw her father and her grandchild, that Nurse Rust saw her father and her aunt, and that Mrs. Cole and others saw and identified Mrs. Allen in that one place in that short period of time, if you think they saw what they think they saw beyond reasonable doubt, if you think the circumstances were such that it could not have been Mrs. Duncan with a sheet over her head, then that, of course, would be the end of the case; because evidence will be given that this light is far from contemptible. It is a light by which you can see with reasonable clearness two feet, as I think one of the witnesses said, and I think that is about fair, although it would be much better to get within a foot, because, of course, unless you can speak with reasonable certainty you have no great value as a witness, and unless you are sufficiently near to see, your evidence is purely negative and almost valueless one way or the other, and I hope you will credit me from beginning to end of this case with having taken pains to exclude any witness who cannot speak with reasonable certainty.

Members of the jury, I quite agree that the tone is a matter of importance. There is one incident that I do not like: I find it hard to understand, and I do not think at this stage I am even going to refer to it, but the witnesses will tell you that as far as the whole tone was concerned it was what they would expect, having some idea, they being more or less trained investigators, being Spiritualists, that there was nothing in the tone from beginning to end other than a tone of kindness, helpfulness, and a realisation of the importance of the thing that was being done. I know that Mr. Worth tried to give you an impression entirely to the contrary. My evidence is otherwise.

Now let me get the whole picture of the 14th as I am hoping to present

it to you, because you cannot judge it from the point of view of tone except by seeing the picture. Mr. Worth says—and he asks you to draw a conclusion almost final against Mrs. Duncan—"Someone purporting to be my aunt came through. I asked her if it was my aunt. She said 'Yes' ". A difficulty would immediately be created of a grave nature; it would not be fatal, but it would be grave, and Mr. Worth meant it to be grave. My witnesses will tell you that nothing of the kind happened, nor did the uncle incident happen at all; the uncle incident is an invention of Mr. Worth's, or seems to be. As regards the aunt, it is quite plain, Mrs. Homer did prompt some of the sitters; she did tell them, she being an experienced sitter, "You will get better results", or words to that effect, "if you are sympathetic. Try to understand what it is. Someone in the short period of time available is trying to contact you. Help them. We do not know what their difficulties are, but for some reason or other they seem able to hold their materialisation inasmuch as you help them, only by courtesy, only by showing your pleasure at seeing them, or whatever the case may be; otherwise, the materialisation will not hold." That kind of instruction—and it was no more, and it is scientifically right, so my evidence will be—was given in this case. The old lady, for all I know, may have been his late aunt, the term 'aunt' being loosely used. She shows herself, and then comes the incident (which, of course, if Mr. Worth's version were true, would be mean and insulting) "Are you my aunt?", then in a muffled voice a definite appearance of disappointment, and then comes something like this, "You are behaving strangely", and she is gone. I have several witnesses who will say that that happened. The other incident is quite short. The guide immediately ejaculated, "You did not give her much of a welcome". In regard to the uncle incident, my witnesses will say that Mr. Worth was told there was a sailor wishing to contact him. Mr. Worth replied that he knew no sailors, that reply causing some surprise, he being a naval officer, and the figure did not materialise at all, and the matter is imprinted upon the minds of the other sitters because the guide merely remarked, "You must understand there are no distinctions of rank here".

As regards the sister prematurely born, I shall ask you to hear my experienced scientific investigators on this subject. There is nothing in that incident from which a conclusion of fraud ought to be drawn, because if any of two or three conclusions is right, this conclusion is also right, that when once a being has taken shape in its mother's womb, he or she survives. I know you will not have forgotten the incident, how he said he had got no sister prematurely born. I am going to suggest to you that Mr. Worth went there determined to be hostile and determined to find evidence. Whilst you are getting the picture of the 14th, note how I quickly asked him the question, and his reply. "Did you say to Mr. Homer on the following Sunday, 'Mr. Homer, you remember how Albert asked me to ask my mother if I had a sister prematurely born. I was so excited that I rang my mother up that night, and she told me it was true'?" Then like lightning, to my surprise, he said, "Yes, I did say that, but on police instruction". Not once did he tell me that, but went out of his way two or three times to tell me that. I think the shorthand note will give it to you three times. I am not certain.

Then, members of the jury, next day, to take a merely possible picture this time, Mr. Worth possibly has been met by the police and told, "We are not allowed to give you that type of instruction", and eventually he said the police did not speak to him. That was just untrue, but Mrs. Duncan might go to gaol because certain vital things said by Mr. Worth were just untrue. The same Mr. Worth thought it better to say that his uncle came through, and his aunt, and he had no uncle. For my purpose

you want a picture, and I suggest to you that that will help you to get your picture.

Now I am going to pause, members of the jury, to make a digression, which I hope you will not think is an unimportant digression, before I come to the 19th; it may bring to your minds all the repercussions of it all. This is on a part of my picture. If it be true that Mrs. Duncan is a materialisation medium, it means there is a spirit world near her at this moment. If she has got a guide, he will be with her now, if it is true, probably trying to help her, possibly waiting for an opportunity to help her, if it is true, you may be sure of it, here in the Central Criminal Court. If she be a person through whom spirit forms contact and can under certain circumstances materialise, she might show them here. Why not? What would the difficulty be, if it is true? If it is false, it is ridiculous; but if it is true—here! And is it impossible? What does she say? She requires but a bare and naked room with a small bare portion curtained off, and a red light; that, and no more. Members of the jury, I am going to ask you, if you think it would help you, to ask my Lord if you might be allowed to see, and possibly you might hear the voice of, her guide for yourselves, and you would be able to judge whether it was her voice or a different voice. I should promise nothing, but it would be a matter of comment against myself if nothing happened, if you did see nothing and if you heard nothing. It is the acid test to which this woman ought to be willing to subject herself. I only say this: she is so willing. Doctors could be present, and any proper method to prevent fraud might be present. Further, it would be much better still, if you wished it, if she was taken completely by surprise and if I were taken completely by surprise in the matter of time and occasion. What would be required? Only a few moments in which she could tranquillise her mind under observation; no more than that would be necessary. I shall proffer her at the right time for that purpose. Nor should I say to you, members of the jury, it would be final; I should not suggest to you it would be final. Suppose it were true, suppose you even saw phenomena, you might still think they were just interesting phenomena, and no more, from which conclusions of one kind or type could be drawn; but I am instructed that that is a test to which she would willingly and gladly respond, and, of course, upon such conditions as my Lord thought right.

I have done my best to give you the picture of the 14th, and I am now going to try to give you the picture of the vital 19th. Upon that occasion the picture is again painted by Messrs. Worth and Cross. Upon the 17th Mr. Worth, under circumstances which you may think just a little surprising, he never having seen a materialisation medium seance before, without consulting anybody, without asking any of the other people present if they perchance had seen what he had not seen, denounced her to the police, and went prepared to get evidence again on the 19th. He worked with them, and they worked on a prearranged plan. The police at a certain moment dashed forward, and a torch was flashed on, and almost immediately Constable Cross goes through the curtains, and everything that thereafter happened within seconds was seen by vital witnesses, including my witnesses. They will tell you that they saw immediately Mrs. Duncan in her chair, and Cross, within the knowledge of the sitters doing something physically dangerous to this woman, darts forward, and, according to my witnesses, is seen to fall through the curtains. Mrs. Duncan was not standing up for the purpose of putting her shoes on, or for any other purpose; she was in her chair in full view of many witnesses, and Cross was sprawling on top of her. Now, members of the jury, you possibly saw the point of my sixty seconds—not just a minute, loosely and wrongly used, but his case is that she was standing for sixty seconds furtively putting on

her shoes. She is seen to be in her chair, with Cross sprawling over her, something having very much upset him, because his hands were trembling violently. The ectoplasm (because it was ectoplasm which was seen, and not a sheet) had gone. Cross did make a grasp at the ectoplasm—that does not look like a sheet—which did slip through his fingers, as ectoplasm would, because ectoplasm is that matter, so my investigators will tell you, that they have come to the conclusion exudes from the medium's body; something like a second birth takes place and comes out in large volumes, and is used for the purpose of these entities making themselves plain; it comes out, and goes back, and goes back almost instantaneously, on a white light being flashed, back to the body of the medium, damaging the medium, often leaving a burn; and that type of thing happened here; what looked like a sheet—Cross is speaking the truth—had disappeared, but it had not been swallowed by Mrs. Duncan. Cross, probably for the purpose of search, does something to Mrs. Duncan—she sat in her chair in a trance and in a danger state—gets her out, or swings her out, or upsets her, and she is discovered right outside the cabinet in a matter of seconds, sitting on Mr. Homer's upturned chair. That is the picture that all my witnesses will give you, and it is completely consistent with what would be expected in the case of a genuine materialisation medium, that being done which admittedly was done in this case. A few minutes later—I am not quite sure of the period of time—it is observed by Nurse Rust that Mrs. Duncan, who by that time had been given a seat, had no shoes on, or one shoe only, and it is put on her by this person, but Constable Cross has said he saw her putting on her shoe furtively inside the first sixty seconds. Evidence will be given you that, had there been a sheet, the audience was so sitting that it could not possibly have been smuggled to the left without three of my witnesses seeing it. They are prepared to say that the light was such that there was in point of fact no sheet; they will say it simply could not have been done without them seeing it, and, of course, without them seeing some suspicious movement on the part of Mrs. Duncan. They will simply tell you that the description as given by Cross is ridiculous.

I am not going to comment on that at this stage except to give you another picture. The police, in a completely ridiculous visit, having made a scene and having raided the place for the purposes of search and for the purpose of catching Mrs. Duncan and those rascals at Copnor Road red-handed, found nothing of any kind, not even a sheet; and that is totally insufficient, as of course you will recognise, as an apparatus for fraud. They have got nothing to rely upon but the word-painting capacity of Mr. Worth, with such assistance as can be given by the less able Constable Cross. Thus we get the sequel. I hope I have given you sufficient to indicate what my evidence is in regard to that. Mrs. Duncan did not say, because she was not in a physical condition to say, "Of course it has gone; it had to go somewhere". That might easily have been the retort made later; when she was asked whether it had gone, she would reply "Of course it has gone; it has got to go somewhere". Of course she did not say it. She was under observation the whole time; she had received a grave shock, and it was plain and palpable that she was too ill to do anything except to gasp out complaints as to her physical condition. I am not going to deal at all with the treatment of Mrs. Duncan thereafter. That is the 14th and the 19th.

Ignoring for the moment, for the purpose of my picture, the witnesses who have given evidence of a purely negative nature, I shall rely throughout upon evidence of a purely affirmative nature. As Portsmouth is the venue of this, I shall give Portsmouth witnesses pride of place, and I shall call many witnesses before you always with one short point in view, namely,

that they have been and identified beyond dispute through Mrs. Duncan persons supposed to be dead. They will not be long. I shall ask you to hear five or six expert investigators, only such expert investigators as have actually investigated the case of Mrs. Duncan, and I have been able to get two or three of them to examine her since the events of the 14th.

The witness Burrell, who was before you, and whom I would describe as a disgruntled Spiritualist—and even Spiritualists become disgruntled—spoke (if I may respectfully say so) a good deal of good sense as well. If Mrs. Duncan really is a materialisation medium, she has certain physical qualities, probably, that can be quite easily tested by expert investigators. If it be true that she is a materialisation medium, probably from her body at certain times and on occasions a something called, for want of a better name, ectoplasm exudes, and exudes in large volumes; it resembles a sheet in appearance, and through this ectoplasm forms can actually be seen building up.

There is another thing: If that experiment is carried out and you do not mind risking Mrs. Duncan's life (and incidentally she has to take her life in her hands all the way through), and you suddenly flash on a torch or expose some white light, she will be wounded in some kind of way or another; possibly a burn will show. That experiment has been carried out by experts who will be called before you. They will say that they observed ectoplasm coming from her in huge volumes, very large volumes of a beautiful white texture, otherwise resembling a sheet. That was photographed, and the photographs will be shown to you. The experiment of flashing on a light was quite deliberate, and Mrs. Duncan immediately reacted; she went down like a shot rabbit—of course, it may have been simulated—and a plain burn-mark was visible on her forehead. There was nothing of any kind to account for that burn-mark other than this peculiar visible matter. It seemed worth while to Mrs. Duncan to indulge in an experiment with life and death, and, as it was so important, it was tried a second time, only this time the angry mark, the wound, the burn, showed itself plain and visible in the region of the cheek—I think I am right—and that will be shown before you.

Members of the jury, I have very nearly finished now before I call my evidence. What would your feelings be towards a person who had not only proved to your satisfaction the continuity of life and the existence of a spirit world but also had been instrumental in proving to you that a wife, a son, or a daughter whom you thought to be dead was not dead, but alive and vibrant with happiness and hope, and who opened up to you a world of limitless opportunities, and if you knew that an effort was being made, perhaps quite an honest effort but a mistaken effort, to destroy such a person—if someone invisible had been seen, someone supposed to be dead proved not to be dead, and a person whose voice had been silent as the grave seemed to be heard again—what would you think, and what would your actions be? You would want to rush forward and say, "Let me tell you of my experience. Not once, but ten times, I have seen this happening; not once, but fifty times; not once, nay, a hundred times", and you would be wanting to rush to this place and say, "Hear me just for a few minutes; I will be quite short". It seems that many people are in that position, and I think I may be allowed to say I have been greatly embarrassed by them. I have many of them at my disposal, and I can only say that I shall do my utmost to handle them in such a way that at any rate I do not become (in the words of my learned friend) a public mischief. I shall be watching throughout for any opportunity to shorten it. I am deeply grateful to you for allowing me to be so long in my opening. I shall go on—I must go on—until I feel that that type of witness is no longer helpful to you, and that is all I can say about that.

My Lord, I hope, this being a case of some difficulty to me, to be allowed to call Mr. Homer first, mainly for the purpose of giving his connected account of what happened. I had not made up my mind, I will tell your Lordship frankly, as to whether or not I should call Mrs. Duncan or——

THE RECORDER: I do not suppose there is any objection in a case of this sort as to whom you call first, is there?

MR. MAUDE: Yes, my Lord. If in fact my learned friend has made up his mind now, as he appeared to indicate, that he was going to postpone calling her for some purpose or other, then I should ask that the ordinary procedure of the Court be followed as in every other case and that she should be called now, as she is first on the indictment.

MR. LOSEBY: I am extremely grateful to my learned friend. I want to be frank with him. All that I asked to be allowed to do was to proffer Mrs. Duncan after my expert witnesses had been called. I am calling the Portsmouth witnesses first and foremost, if your Lordship thought that would be convenient; then I was going to call what I call my expert witnesses in the hope that your Lordship would think I could satisfy your Lordship that they were relevant, and then I thought that would be the convenient time to proffer Mrs. Duncan, not knowing what your Lordship would say about it.

THE RECORDER: I must leave you to conduct your case in your own way, but it is much more satisfactory if you keep to the ordinary rules which govern the ordinary procedure in this Court, with which, I think, you are very familiar. I think that is the better course for you to pursue. If you are calling these people I have no objection to your calling one before the other; although it does not come within any prescribed rule, it is a matter of practice.

MR. LOSEBY: I am much obliged. It would help me in my defence if I might be allowed to conduct my defence in the way your Lordship I understand says I may.

THE RECORDER: If you want to call them in any particular order, you may, if you ask for that specially, but it would be much more convenient if you called them in the order they are on the indictment.

MR. LOSEBY: I have a special reason.

THE RECORDER: What is the special reason for calling Mr. Homer before Mrs. Duncan?

MR. LOSEBY: The real value of this proffering of Mrs. Duncan is really to my mind better and more easily followed by the jury if they knew a little more than they know at the moment in regard to the whole matter, what to look out for and what to see.

THE RECORDER: I am anxious to help you personally, Mr. Loseby, but I do not think that is an adequate reason at all and, therefore, I think the ordinary procedure had better be followed and you should call them in the order in which they are on the indictment. If you are calling witnesses you should begin with Mrs. Duncan.

MR. LOSEBY: I hope your Lordship will forgive me, but that would be definitely embarrassing to me.

THE RECORDER: Well, Mr. Loseby, I have asked you for your reason and you have given it, but I do not think it is a sufficient reason for altering the ordinary practice, and there I think the matter must end.

MR. LOSEBY: May I say this, my Lord, that Mrs. Duncan can give no evidence at all, her case being that she is in trance? She can say "I proffer myself". I do want to be allowed to offer that at the time which I think, watching her myself, would be the better time.

THE RECORDER: If you say she is not being called as a witness in the case I will deal with the matter when the moment arrives. If she is not going to give evidence, call a witness who is.

MR. LOSEBY: That is Mr. Homer.

THE RECORDER: Then it follows that Mrs. Duncan is electing not to give evidence.

MR. LOSEBY: Mrs. Duncan, my Lord, I shall proffer—

THE RECORDER: Apart from that she is not giving evidence.

MR. LOSEBY: No, my Lord.

THE RECORDER: Very well, so long as we understand.

ERNEST EDWARD HARTLAND HOMER, *Sworn.*

Examined by Mr. PEDLER.

Q. Is your full name Ernest Edward Hartland Homer? A. Yes.

Q. Have you a drug store at 301 Copnor Road, Portsmouth? A. Yes.

Q. Over the drug store have you a room licensed and registered as a church at Somerset House? A. Yes.

Q. How many seances did you arrange for Mrs. Duncan to be the medium at this church? A. Thirteen.

Q. What was the fee that you paid her? A. The fee paid to Mrs. Duncan was £104.

Q. I mean just the fee. A. £8.

THE RECORDER: For each, do you mean? A. Yes.

MR. PEDLER: What did you charge the sitters when they came? A. 12s. 6d. each seat.

Q. Were there any free seats? A. Forty-five during the thirteen seances.

Q. When did she give her first seance? A. Wednesday, 3 o'clock, on January 12th.

Q. And the last one? A. The 19th January, at 7 o'clock.

Q. Were they all the seances that took place between the 12th and the 19th January? A. Yes.

Q. A plan of the church room in which you held those seances has been put in. I suppose that generally the meetings you hold there are held towards the rostrum? A. Yes.

Q. And this corner is really a corner against the street? A. That is quite right.

Q. Describe the cabinet. Is it a complicated or a simple affair? A. The cabinet is fitted into a room 18 ft. by 14 ft. by 9. On one end is the rostrum and the window, the window seat being a shelf 2 ft. 4 ins. deep. There is the cabinet railed off in a corner 7 ft. by 7 ft. across.

Q. We have got that on the plan. I want you to describe the cabinet itself. A. It is just a rail across with curtains, and on the curtains are rings so that the curtain will slide easily. There were two curtains 3 ft. 6 ins. wide making an entire enclosure of 7 ft.

Q. It has been pointed out that there are two curtains 3 ft. 6 ins. wide. A. Yes.

Q. Which run backwards and forwards along the rail? A. Yes, with rings on the curtains attached to a white pole.

Q. What did you put on the walls? A. Blue curtains to take away any trace of white whatever.

Q. The idea was to have no white whatsoever? A. That's right.

Q. Was there any carpet on the floor? A. Yes, but between the carpet and the end wall was about 18 inches of board.

Q. What other article of furniture was in the cabinet? A. A Jacobean chair with arm-rests.

THE RECORDER: Was this erected specially for Mrs. Duncan's visit? A. Yes, specially for the seances.

Q. On whose directions was it done? A. Mrs. Duncan's directions; she left the fitting of the cabinet to us.

Q. Did she tell you what to put? A. No, sir, it is a recognized cabinet for materialisations.

Q. Did you erect it? A. Yes.

Q. For these, what do you call them—demonstrations, services? A. No, for the materialisations only.

MR. PEDLER: At the corner of the cabinet by the window you have a window seat. How far away is the window seat from the actual cabinet itself?

A. About 8 inches; the beginning of the window seat is 8 inches to 12 inches.

Q. Is it a very deep window seat? A. 2 ft. 4 ins. and 8 ft. long.

Q. Is there a foot rest? A. Yes, a foot rest 8 inches from the ground.

Q. Will you describe the lighting. How many lights were there? A. Three.

Q. Where was the white light? A. In the centre of the room.

Q. What was the white light for? For everybody to see how to come in? A. Yes.

Q. Then you had a blue light as well? A. We had a green wall light on the inside wall.

Q. What was that for? A. To accustom the sitters after they had got into the seance room to the red light which would follow at the finish.

Q. Where was the red light? A. The red light was over the rostrum at the back of the church.

Q. Really the white light and the red light were in line with the centre of the room? A. Yes.

THE RECORDER: The rostrum being at the back. A. Yes, and the red light was just over the lectern there.

THE RECORDER: Which is the front of the rostrum?

MR. PEDLER: Over the reading desk, my Lord.

THE RECORDER: Thank you.

MR. PEDLER: How strong was the red light? A. The power of the red light would be about 40.

Q. 40 watts? A. Yes, 25 to 40.

Q. Did you intensify or modify it by putting anything over it? A. Yes, we had a silk red handkerchief over to adjust the light at Albert's command.

Q. Albert being the guide? A. Albert was the guide; he would tell us if the light was too bright or too dark.

Q. On the 14th and the 19th January was that light adjusted at all? A. No, it was quite in order.

Q. What happens with the audience? Do they come straight into the room or assemble downstairs? A. They assemble downstairs.

Q. Do you bring them up? A. I just check them going upstairs and they go into the room.

Q. What about the seating and putting names on?

THE RECORDER: Are you dealing with any particular date now?

MR. PEDLER: I am dealing with the 14th, my Lord. (*To the witness*) Were tickets put on the chairs? A. The only reason we put tickets on the seats is to save any confusion among sitters coming in and to keep it as silent as possible: they go straight to their seats. There is no other purpose whatsoever.

Q. How many semi-circles of chairs did you have before the curtain? A. At that particular seance, two.

Q. Both on the 14th and the 19th? A. Two on the 14th and three on the 19th.

Q. When you entered the room, was anybody there? A. Yes, all the sitters had taken their seats. Mrs. Homer was giving Mrs. Duncan the clothes to be handed round to be inspected by each sitter.

Q. That is, the seance clothes? A. Yes.

Q. Did you see the seance clothes? A. Yes.

Q. Was there any white on them that you saw? A. None whatever.

- Q. They were handed round to the whole audience? A. Each sitter examined each garment carefully.
- Q. What happened next? A. After that Mrs. Homer asked for three volunteer ladies to go into the next room adjoining to undress and dress Mrs. Duncan with the seance clothes which they had previously examined. Three ladies stepped up and took the clothes in with them.
- THE RECORDER: Can we take this a little more shortly. There is no dispute about it, is there?
- MR. PEDLER: If your Lordship pleases. (*To the witness*) After the volunteers went in, did you notice two men in naval uniform inspecting the cabinet? A. Yes.
- Q. Did you recognise one of them? A. Yes.
- Q. Who was it? A. Lieutenant Worth and Surgeon Doctor Fowler.
- Q. Did you notice Mr. Worth? A. Yes.
- THE RECORDER: How much money had you taken on the 14th. Perhaps you cannot remember. A. I think I can, sir. On the 14th, eighteen paid for seats, as near as I can say.
- Q. There were eighteen paid seats? A. I think so. I am not quite certain but my counsel has the record of it, and there were free seats that afternoon.
- Q. If you cannot say nearer than that we must leave it. They were all 12s. 6d. seats, were they? A. Yes, that particular afternoon.
- Q. Eighteen at 12s. 6d.? A. Yes.
- MR. PEDLER: You recognised Mr. Worth, did you? A. Yes.
- Q. Had you seen him before? A. Yes, I had seen him visit the temple at many meetings in our church previous to the seance and previous to December. I have also been at different meetings with him at different circles; I saw him there investigating, as we thought then.
- THE RECORDER: You had seen him before. Where was he on the 14th when you first saw him? A. On the 14th he came into the lower room, of course, and went upstairs.
- MR. PEDLER: He examined the cabinet, did he? A. Yes.
- THE RECORDER: He had already paid, had he not? A. Yes, he had paid Mrs. Homer.
- Q. With regard to torches, did anything happen in regard to torches on the 14th? A. Yes. Mrs. Homer asked that all torches might be given up before the seance.
- Q. The reason being? A. Just this reason, that any person might just get a little terrified perhaps, not exactly terrified but might just be a little nervous and may flash it on accidentally.
- Q. That is what I want. If they did flash it on accidentally, what would happen? A. Well, it would certainly injure the medium.
- Q. It would certainly injure the medium? A. Definitely.
- Q. Do you remember seeing Mrs. Duncan coming in with the three volunteer ladies? A. Yes.
- THE RECORDER: Have you ever known a medium injured in that way? A. I have never seen one, my Lord. I must speak frankly; but I know it does, especially at materialisation meetings.
- MR. PEDLER: Then Mrs. Duncan came into the room with the volunteer ladies. A. Yes.
- Q. Before she went into the cabinet did she say anything to the people? A. She stood at the opening of the cabinet and she said, "Will the three ladies please tell the rest of the sitters here what I am wearing?"
- Q. And they described it? A. Yes, the three ladies stood up and described the articles of clothing and she asked also about her hair. They had taken her hair down and there was nothing white about her hair. She also asked about the cabinet being examined, and she was given satisfaction about

that by Worth, and all the other sitters said, "We are perfectly satisfied there is nothing white here."

Q. Then Mrs. Duncan went and sat in the chair, did she? A. Yes, she went and sat right in the corner of the cabinet. She was not in trance then. She sat in a chair and went into trance.

Q. Tell us what she did when she went into trance. She was sitting in a chair with the curtains open? A. And the white light full on. I was standing four feet from the cabinet and I looked round to my right, as I always do, and as soon as I saw her left hand fall off the chair I knew it was my time to pull the curtains, so in full view of the white light and in full view of the sitters I go and pull them right across and I walk away from the cabinet four to five feet, stand against the wall and open in prayer.

Q. Was a prayer offered by everyone? A. After I gave my own prayer we all joined in the Lord's Prayer.

Q. Did you hear something during the Lord's Prayer? A. Before we had hardly finished the Lord's Prayer Albert joined in the Lord's Prayer with us.

Q. What had happened to the white light? A. I started the prayer with the white light and gradually the green light was put on to accustom the sitters to the red light which followed after. By the time I had finished the prayer and opened my eyes—

Q. There was only the red light on? A. Yes.

THE RECORDER: Who was responsible for the light? A. I couldn't say.

Q. Who was looking after the whole thing? A. Mrs. Brown would be at the back, but I could not say who put the lights on that afternoon, and I could not say who put the green light on. They were done quite all right.

MR. PEDLER: Then you heard that voice? A. Albert speaking.

Q. What sort of voice is it. Describe it to the jury. A. To me it is an Australian voice, a very cultured one, and he says like this, "Anyone going to say 'How do you do?'", and we all join in and say "Hullo, Albert".

Q. Is it anything like Mrs. Duncan's voice? A. Not a bit.

Q. Did you see anything happen to the curtains? A. Yes.

Q. Where were you sitting? We have not come to your actual sitting down. You sat down somewhere, did you not? A. Right opposite the centre of the cabinet in the first row.

Q. How many seats from the left? A. That afternoon, I remember, on the fifth seat from the left.

Q. You were practically in the middle of the curtains? A. Right opposite the end of the curtains.

Q. How many feet would that be? A. From my seat it was just over three feet away from the centre of the cabinet.

THE RECORDER: Would that be No. 10? A. Yes, just about three feet, my Lord.

THE RECORDER: That would be the fifth from the left.

MR. PEDLER: He was fifth on the 19th.

THE RECORDER: Which were you occupying on the 14th? A. On the 19th.

Q. Deal with the 14th. A. On the 14th I was on the fifth seat.

MR. PEDLER: When you were sitting there looking at the curtains, did anything happen at the curtains? A. Yes, Albert invited Mrs. Duncan to stand up and to ask each sitter could they see the outline of her face. Albert said, "Please stand up, Mrs. Duncan", and Albert himself opened the curtains and there we saw Mrs. Duncan standing at the side of the curtains; and everyone said, "We can see the outline of her face clearly".

Q. What about seeing Albert? A. Yes, he was just there behind her.

THE RECORDER: What did he look like? A. A spirit form, over six foot tall, a thin face with a beard, just round there.

Q. How far away from Mrs. Duncan was he? A. Yes, then Albert said—

- Q. How far away from Mrs. Duncan was he? A. Albert was about nine inches to a foot away.
- Q. What did he say then? A. Then he asked, "Can you please see Mrs. Duncan?" and, speaking for myself, I could see the ectoplasm from Mrs. Duncan's mouth and by that ectoplasm was built up this spirit Albert. I saw them both plainly, and Mrs. Duncan herself was in a deep trance.
- Q. What did Albert say? A. Albert said, "Now, Mrs. Duncan, you can sit down there as a good girl and have a rest".
- Q. Do you remember anything appearing to Mr. Worth? A. Yes, I do.
- Q. Describe the first one. A. Albert said, "I have here an old lady, and this old lady is for a sitter on Mr. Homer's right". There only being two naval gentlemen on my right, the doctor spoke up first and Albert said, "That is not the voice", and then Mr. Worth said, "Is it for me?" and Albert said, "That is the voice. Will you please call her out and do the talking?"

THE RECORDER: You say Mr. Fowler replied first, did he? A. Yes, my Lord.

- Q. And that was not the voice. A. That was not the voice.
- Q. Then Worth spoke? A. Yes. He said, "Is it for me?" and Albert said, "That is the voice. Will you please call her out?"
- MR. PEDLER: What did Mr. Worth say? A. "Will you please come out if you are for me?" or words to that effect. Eventually the old lady came out. I was sitting next to Mr. Worth.
- Q. Did you see her yourself? A. Definitely.
- Q. Describe her. A. I would like to say that this old lady came out three to four feet from the cabinet and Mr. Worth was on my right, and to see her face I had to turn my head to the right.
- Q. How far away were you from that figure sitting in the fifth chair? A. I saw that lady a foot away. I saw her features.
- Q. Did you see her features? A. Yes, a pointed chin, a very old face, greying hair, very thin, just over 5 ft. 1 inch tall.
- Q. When she came three feet outside the cabinet, what did Worth say to her? A. He said, "Are you an aunt of mine?"
- Q. What did the figure reply? A. Then this figure looked right at him and she said to him, "Trying to act strange, are you not?"
- Q. What did Albert say then? A. The old lady just disappeared in front of us all, just went right down, and Albert replied, "She did not get much of a welcome".

THE RECORDER: Were you able to judge whether that old lady was an educated person or not? A. I could not say that, my Lord.

- Q. You say she said, "Trying to act strange"? A. "Trying to act strange", yes.
- MR. PEDLER: What was the size of that figure? A. Approximately 5 ft. 2 inches.
- Q. A bulky figure? A. No, no.
- Q. Not a bulky figure? A. Not a bulky figure, a very slender, slim old lady.
- Q. Do you think there was any possibility of Mrs. Duncan being behind that figure? A. None whatsoever.
- Q. Mr. Worth says it was a bulky form. The impression he left on the jury is that it was not a slim old lady at all. A. In my evidence I am giving exactly what I saw.
- Q. What did she look like, in ectoplasm? A. Just a spirit robe and a face built up.
- Q. Worth called it ectoplasm. She was merely in the ectoplasm, was she? A. Yes.
- Q. Then another person was announced for the same sitter? A. Yes. Albert said, "For the same sitter I have here a sailor".
- THE RECORDER: When the old lady is in the ectoplasm, what becomes of Albert? A. We don't hear Albert speaking when the spirit form is speaking.

Then we heard Albert's voice from the cabinet saying, "For the same sitter I have another spirit here".

Q. Did the old lady come back? A. The old lady just disappeared in front of my eyes.

Q. Through the floor? A. Through the floor, my Lord.

MR. PEDLER: Now we come to a sailor boy. A. Yes. "I have a sailor boy here", and Lieutenant Worth replied, "I know no sailor". The sailor did not materialise whatsoever.

Q. Was some remark heard? A. Yes, Albert just reminded Lieutenant Worth that in the spirit world there is no rank and file.

Q. What was the next thing that happened? A. Still for the same sitter Albert spoke and said, "I have a baby sister for Lieutenant Worth in the world of spirit".

Q. What did Lieutenant Worth reply? A. "I have no baby sister". Then Albert requested something of Lieutenant Worth. He said, "Will you do something for me?" and Worth said, "I will. What is it, Albert?" "Could you find out from your mother: she will be able to tell you about this".

Q. And that he promised to do. On the Sunday you saw Mr. Worth on this particular point, did you not? A. Yes, on the Sunday Lieutenant Worth came to me and he said, "Mr. Homer, you remember Albert requesting me to find out about that sister of mine, a baby sister". I said, "Yes, I do". He said, "I was so anxious that I phoned up and it is so. I did have a baby sister in the world of spirit".

Q. Did you see a soldier appear to Worth? A. No.

Q. And salute him? A. No, only one materialisation came for him that afternoon. That was the old lady; neither the baby nor the sailor materialised.

Q. Shortly after that was there a materialisation for Mrs. Homer? A. Yes. Mrs. Homer's grandmother came to her. Albert said, "I have an old lady here for a lady near the door side".

THE RECORDER: Where was Mrs. Homer sitting? A. Sitting near the door side in the front row.

Q. In the front row? A. Yes, the end seat.

MR. PEDLER: Did you hear your wife's grandmother at all? A. Yes, before she came out of the cabinet we could hear her voice singing.

THE RECORDER: Is it "mother" or "grandmother"? A. The grandmother.

MR. PEDLER: Do you know Welsh yourself? A. I do not know Welsh myself, but I know it was in Welsh, and Mrs. Homer walked from her seat towards the centre of the cabinet. The old granny was still singing and they came together and met in front of the cabinet, and Mrs. Homer joined with her and harmonised in this little Welsh hymn.

THE RECORDER: You recognised it, did you? A. I would only like to say this in evidence.

Q. I only asked you if you recognised the tune. A. Yes.

MR. PEDLER: What was the name of the hymn? A. All I know is—(*The witness gave the name of the hymn in Welsh*). I would like to say this in evidence.

THE RECORDER: Just answer the question.

MR. PEDLER: Is that the name of the hymn? A. I would not be sure of that.

Q. How tall was your wife's grandmother when you saw her before? A. Granny was 5 ft. 3 ins., an aquiline nose, grey hair parted in the centre, bluey grey eyes, and a mole on the right-hand side of the nose.

Q. Did you see this at the seance? A. Yes.

THE RECORDER: Was she in ectoplasm? A. Yes, my Lord.

MR. PEDLER: Do you remember any of the others? Do you remember anyone appearing for a lady on the extreme left of you? A. Yes, a Mrs. Barnes. Albert said, "For a lady in the front row I have a spirit friend here,

towards the window side". He gave the direction and then the spirit friend came out on a voice vibration. Thereupon one or two ladies spoke up and eventually Mrs. Barnes spoke up and Albert said, "That is the voice. Will you please call her out, whoever it may be".

THE RECORDER: Who said, "Call her out"? A. Albert the guide. I saw between the curtains a gentleman come to Mrs. Barnes and she recognised her father.

MR. PEDLER: She will give evidence that she recognised her father. What did you see? A. I saw a figure about 5 ft. 10 ins. and he said, "I will go back for my helmet".

Q. "I must go back for my helmet"?

MR. MAUDE: No, he said, "I will go".

THE WITNESS: "I will go". First of all he said, "Will you please stop talking? I have come here to talk to you. Will you give me a chance?" So he disappeared for a matter of seconds and came back with a white helmet on his head, I should say that is foreign to this country. Yes, I should say it was more of a topee.

Q. What you saw yourself? A. What I saw myself. I should say not of this country, I should say of India somewhere.

Q. Was it a man's voice or a woman's voice? A. A man's voice.

Q. A high voice or a low voice? A. A man's rather heavy voice, I should put it.

Q. Do you remember someone else appearing for Mrs. Barnes? A. Yes.

THE RECORDER: To save me asking the same question every time, did all these figures appear in the ectoplasm? A. Yes, my Lord, they all did.

MR. PEDLER: Describe what you mean by ectoplasm and the figure appearing.

THE RECORDER: We heard it described this morning. Do you agree with that? A. I do, my Lord. For Mrs. Barnes again appeared a little granddaughter.

MR. PEDLER: Did you see her? A. Yes.

Q. Describe her. A. This little granddaughter came out of the window seat of the curtain, and I was in a good position to see the side of her. This little child came out; she would be no more than about 3 feet high, a very baby voice, and she went right up to Mrs. Barnes' knee, got hold of her fingers and said, "This little piggy went to market", just as a child would talk.

THE RECORDER: Mrs. Barnes spoke to her, did she? A. Yes, and she just disappeared, just like they all did.

Q. Is Mrs. Barnes a Portsmouth resident? A. Yes, my Lord.

Q. Is she a visitor to the church? A. Yes, my Lord.

MR. PEDLER: Do you remember a Mrs. Allen appearing? A. Yes.

Q. Whom did she appear to first? A. She came to Mrs. Coles.

Q. Where was Mrs. Coles sitting? A. As far as I can remember, in the window seat.

Q. Did you know Mrs. Allen? A. Yes; I had seen her at the church.

Q. Did you know her in life? A. Yes.

Q. Did you recognise her on this occasion? A. I did, sir.

Q. When she came out to Mrs. Coles, could you hear what she said? What was her size, first of all; tell us that. A. Mrs. Allen would be about 5 ft. 2 ins. or 3 ins.

Q. How did she carry herself? A. She came out and she showed the condition of her arm when she passed out, you see, and she spoke words to the effect that now she had no pain. She just came back to show the condition of passing as she went into the world of spirit. Not on this particular occasion but on other occasions she has spoken directly to me and thanked me for the flowers, which I took to a service at her home before she was buried.

THE RECORDER: Mrs. Allen? A. Yes.

Q. Spoke to you on other occasions? A. Yes.

Q. Not in this room? A. Not on this afternoon.

Q. But at a seance in your room? A. Yes.

Q. With no medium? A. No materialisation.

Q. With no medium? A. Oh yes, through Mrs. Duncan.

Q. Oh, Mrs. Duncan. A. Yes, my Lord, I have sat at many seances.

Q. You have told us there were thirteen beginning on January 12th. A. Yes.

THE RECORDER: This is January 14th we are dealing with.

MR. PEDLER: When did Mrs. Allen die?

THE RECORDER: Get it straight during the adjournment, will you?

(Adjourned for a short time).

MR. PEDLER: You have given us a number of manifestations for the 14th. We will go to the 19th. What seat did you occupy on the 19th January in the same room? A. I occupied the fourth, sir.

Q. The fourth from the left? A. From the left.

Q. Where was Mr. Worth sitting, the man in naval uniform? A. Just behind me on my right, in the second row.

Q. Do you remember War Reserve Constable Cross? A. Yes.

Q. Where was he sitting? A. Just behind me.

Q. Absolutely behind you? A. Absolutely behind me.

Q. In the second row?

THE RECORDER: Would you mind completing the positions while you are on the seating. For instance, where was Christine Homer?

MR. PEDLER: If your Lordship pleases. *(To the witness)* Do you remember your daughter? A. Yes.

Q. Where was she sitting? A. The window seat.

THE RECORDER: Is that this one? *(Indicating)* A. Yes, my Lord.

Q. And you were where? A. The fifth.

Q. On the 19th? A. On the 14th, sir.

THE RECORDER: Who were occupying these seats?

MR. PEDLER: Two more people at the window. Next to Mr. Homer should be Mrs. Bird, and the next one is Mrs. Green. That makes three in the window seat.

THE RECORDER: On this plan she is marked as being in No. 24. There are only two seats in the window.

MR. PEDLER: The window seat, my Lord?

THE RECORDER: Yes, one is Miss Homer and the other is Mrs. Bird.

MR. PEDLER: And then Mrs. Green. There were three sitting in the window seat on that day.

THE RECORDER: That is not marked here. What are these three seats here by the side of the cabinet? One is marked Mrs. Homer. A. Yes.

MR. PEDLER: That is by the door.

THE RECORDER: No, that is Mrs. Homer. I have dealt with Miss Homer. Miss Homer is there, just on the edge of the cabinet, and Mrs. Homer there. Is that right? A. No, my Lord.

MR. PEDLER: No, my Lord, Mrs. Homer sat by the door.

THE WITNESS: Never against a wall.

THE RECORDER: Who occupied these chairs on the 19th? Someone has marked Mrs. Homer? A. No, my Lord, the seats came right to the wall but not against the wall.

Q. Do you mean those three seats were not there? A. Yes, my Lord.

Q. Then this plan is wrong, is it? A. Yes, my Lord. I say the seating—

MR. PEDLER: There were no seats on that occasion up against the wall, my Lord.

THE RECORDER: Then was Mrs. Homer *here*? *(Indicating)*. A. Yes.

MR. PEDLER: There were three people between you and the left-hand wall before anybody could get to the window seat behind? A. Yes.

Q. Who was next to you on your left? A. Mr. Gill.

Q. And next? A. Mrs. Alabaster.

Q. And the one in the corner? A. Mr. Coulcher.

THE RECORDER: That is what I have got on this plan. This seems to be right.
A. Yes, my Lord.

MR. PEDLER: What happened to you on the third materialisation when somebody did something behind you? A. First of all, I saw the flash of a torch on the spirit friend, the glare of a brilliant torch.

Q. Where was the spirit friend at that moment? A. In the centre of the cabinet.

Q. Was the torch coming from the left of your head or the right? A. The torch was coming from slightly to the right of my head.

Q. What was the next thing? A. I was knocked to the floor.

Q. Right off the chair? A. On to the floor.

Q. And your chair fell over with you, did it? A. The chair went with me and right away from me. By the time I got back on to another chair I saw Mrs. Duncan on an upturned chair by the time that I got reseated.

Q. Some time elapsed then. You were thrown on the floor some time? A. Yes.

Q. So you did not see much of what happened in the cabinet whilst you were lying on the ground? A. No, sir.

Q. When you saw Mrs. Duncan on the chair did you say anything to her? A. No, I immediately made a request to get to her. I said, "For God's sake let me get to Mrs. Duncan", realising how she must feel after such an attack.

Q. What was her condition at the time?

THE RECORDER: How do you mean, on an upturned chair. How do you sit on an upturned chair? A. The chair upturned.

Q. Who was on it? A. She was on it.

MR. PEDLER: Your own chair? A. I presume so.

Q. You saw Mrs. Duncan on the chair. What was her condition? A. Very distressed, crying out for a doctor.

Q. Calling out for a doctor? A. Yes.

Q. Did they get a doctor? A. No, not then, but she was promised by Detective Inspector Ford she would have one later, but no doctor was brought forward then.

Q. Did you try to get to her yourself? A. I did, and War Reserve Constable Cross looked at me in a glaring state and said, "Sit down, Homer", and he was very agitated and very nervous.

Q. Did people appear from the outside? A. Yes, Detective Inspector Ford came in with another detective. He warned us to keep our seats, and then Cross went up to him and made a few remarks, and then Cross went to the window and he accused Miss Christine Homer of having had the sheet. She got up and she said, "Friends, did you hear that?" and she demanded to be searched. Then Cross went back to Detective Inspector Ford and spoke to him. I couldn't hear what he said then, but I heard after he said, "Be careful, else you will go down".

Q. Whom did he say that to? A. Miss Homer.

THE RECORDER: Cross accused her of what, doing something to the cloth? A. Yes.

Q. Having got it? A. Having got the sheet.

MR. PEDLER: Accused your daughter of having got the sheet? A. Yes.

Q. And then said, "If you are not careful you will go down?" A. Yes.

Q. Was anybody searched at all? A. Yes. One thing I omitted. Inspector Ford said, "If any of you here have got this sheet or cloth, will you please give it up so as not to cause you any further displeasure?" Mrs. Homer demanded to Inspector Ford that everybody should be searched, and all the sitters stood up in a body and asked the same.

- Q. They all asked to be searched? A. Yes, and Inspector Ford said, "How can I?" and Mrs. Homer said, "You have a matron here".
- Q. What did Mrs. Homer mean by "a matron"? A. A police matron.
- Q. Mrs. Homer said, "You have a police matron"? A. Yes.
- Q. Was anybody searched?
- THE RECORDER: We know nobody was. That is right, is it not? A. Yes.

Cross-examined by MR. MAUDE.

- Q. Mr. Homer, the sum of £104 was the amount that was actually paid to Mrs. Duncan, was it not? A. £104, and an extra £8.
- Q. What for? A. For sitters above the usual number of 16.
- Q. That is to say, she got £112 for six days work? A. Yes.
- Q. That is right, is it not? Starting on the 14th and finishing on the 19th? A. Yes, sir.
- Q. Who paid it to her? A. I paid it, sir.
- Q. How did you pay it? A. I paid it in different amounts.
- Q. At the end of each sitting? A. No, I sent some on to Mrs. Duncan. I paid her a portion after she had been down two or three days, and the balance was paid on Wednesday, the 19th.
- Q. That left a balance of how much money paid in at the Mystic Temple—that is what you call it, is it not? A. The Master Temple.
- Q. For these six days. How much did you have surplus? A. £30 18s. 9d.
- Q. What happened to that? A. That has been given for charity, sir.
- Q. Which charities? A. The Wireless Fund for the Blind, S.N.U. Freedom Fund, and a donation to *The Two Worlds*.
- Q. When was it paid? A. Directly after the 19th.
- Q. Nothing paid before the 19th? A. No.
- Q. What do you generally do with the moneys when you receive them? A. Referring to what, sir?
- Q. Moneys received in the same way. I suppose this is not the first occasion, is it? A. No, sir. We just use them for the same purpose.
- Q. For what purpose? A. For charity, or for some benevolent fund, and for propaganda work, and for furthering the movement.
- Q. Do you announce that in your advertisements? A. Yes, sometimes.
- Q. Not always? A. Not regularly, no.
- Q. Did you know Mrs. Brown? A. Never before, sir.
- Q. Did she come with Mrs. Duncan? A. Yes.
- Q. Where did they come from? A. Mrs. Duncan came from Scotland, and Mrs. Brown, I believe, from somewhere in Sunderland.
- Q. What day did they arrive? A. The 10th January.
- Q. Where did they stay? A. Mrs. Bettison, 6 Milton Road.
- Q. Did both of them stay there? A. Yes.
- Q. Did you have any correspondence with Mrs. Duncan before she came? A. Just a letter, sir.
- Q. Was it you who arranged for her to come? A. Mrs. Homer.
- Q. Do you not consult one another about those things? A. Yes, but Mrs. Homer does the writing.
- Q. Did you consult each other and decide to ask Mrs. Duncan? A. Yes.
- Q. Had you made any enquiry whatsoever as to Mrs. Duncan's powers? A. I knew of her powers.
- Q. The answer then is that you must have at some time made enquiry? Is the answer "Yes"? A. Yes.
- Q. Whom did you enquire from? A. People who have seen her, and I have read about it.
- Q. Where had you read about it? A. In different Spiritualist papers.
- Q. Did you hear Mr. Loseby tell the jury this morning that she had been acting as a materialising medium for the last ten years? A. Yes.

- Q. That is not correct, is it? A. It is correct, sir.
- Q. Do you know whether or not she was acting as a materialising medium in 1931? A. I could not say.
- Q. Have you not heard of that? A. Do you mean more than ten years?
- MR. LOSEBY: It ought to have been more than ten years.
- MR. MAUDE: Would you agree with him? A. Yes.
- Q. You knew she was acting as such in 1931, did you? A. I did, sir.
- Q. Did you know that she then submitted herself to scientists for examination? A. I couldn't say.
- Q. Did you know that? Tell me carefully. Did you not know that? A. I did not know that she had submitted herself.
- Q. Don't let us make any mistake about the form of the words. Did you know that she had been investigated by certain scientists in 1931? A. I could not say.
- Q. Yes, you can say whether you did or you did not. Which is it? A. No, sir.
- Q. Didn't you know she had been investigated by the National Laboratory of Psychical Research at any time? A. I had heard that.
- Q. Do you know it is a fact that she came away from the investigation without the hall-mark of anything of such a kind having happened? A. I could not say.
- Q. Do you not know that? A. No, sir.
- Q. Did you hear to the contrary? A. I could not say.
- Q. What did you hear? A. I could not say.
- Q. Did you hear also of her the same year being investigated by the London Spiritualist Alliance? A. No, sir.
- Q. Have you never heard of that? A. No, sir.
- Q. Have you ever heard of her being investigated by any scientific body? A. Only one.
- Q. Which one? A. Edinburgh. She had a test up there.
- Q. What, the College? I do not know about that. What College? A. Edinburgh Psychic College, I believe.
- Q. Do you know anything about it? A. No.
- Q. Do you know the names of anybody connected with it? A. No.
- Q. When did you yourself start to use this place as a church? A. About four years ago, sir.
- THE RECORDER: Whose idea was that? A. Mrs. Homer's, my Lord.
- MR. MAUDE: When Mrs. Duncan arrived did you get from her any instructions as to the part you were to play? A. No, sir.
- Q. I notice that you told the jury that when her hand went down at the side that was the moment for you to do something about it. How did you know that? A. That is a state of trance control, deep trance control.
- Q. Have you experimented to see whether it makes any difference whether the Lord's Prayer is joined in or not? A. I think it is very helpful.
- Q. You believe it does? A. I do.
- Q. Have you ever tried to see whether it makes any difference or not? A. Well, it is a thing we always do, and it is just the usual procedure.
- Q. Is the answer that you have not? A. I did not get it clear, sir.
- Q. Don't you understand that? Is there any necessity, do you think, to have the Lord's Prayer? A. I do, sir.
- Q. Why do you think so? A. For such a spiritual seance it is very fitting to pray in the spirit world.
- Q. Would I be right in guessing that you did not consult Mrs. Duncan as to that part of the procedure? A. No, sir.
- Q. Did she ask whether there would be any prayer? A. She knows, sir.
- Q. She never said anything about it, did she? A. No, sir.
- Q. With regard to the light you had there, you first of all said it was 40, and

- then 25 to 40. Do you know the strength of the globe? A. No, I could not tell you definitely.
- Q. Did you think of bringing it? A. No.
- Q. Is it broken? A. No, it is in the safe. We still have it.
- Q. Can you give us any idea as to how bright the light is that comes from it? Perhaps you heard Mr. Loseby saying that it was better to get within a foot in order to see what you were looking at. You can see with reasonable clearness at two feet, he said, but it would be better to get within a foot. Do you agree with that? A. I could see at three feet.
- Q. Then you do not agree with it. Can you see beyond three feet? A. Yes, sir.
- Q. Can you see right at the back of the room? A. Not so clearly as in the front or the second row.
- Q. Would you be able to see in the second row that Albert had got a beard? A. I think so.
- Q. Have you any doubt about it? A. I don't think so.
- Q. Have you been there and looked? A. No, I have not been in the second row.
- Q. Where have you observed Albert from? A. The front seat.
- Q. In the front seat? A. Yes.
- Q. Why did you always sit in the front seat? A. To attend to Mrs. Duncan when she comes out of the cabinet, to put her in my seat.
- Q. Does she come out by herself? A. She comes right out by herself.
- Q. When she is finished? A. When she is finished.
- Q. She does not have to be called out, she comes out? A. Right out.
- Q. Does she always come to your seat? A. Not always.
- Q. Whose other seat did she ever come to? A. On some occasions Albert chooses a seat himself.
- Q. Then there would be no necessity for you to sit in the front row? A. Albert does not always choose a seat, apart from mine, to bring her out into.
- Q. How many times have you seen Albert? A. Many times.
- Q. Give me some sort of idea? A. I have sat in many seances.
- Q. Have you seen Albert twenty times? A. Yes.
- Q. How big a beard has he got? A. Not a thick growth, but from here to there.
- Q. What happens when you get beyond that? Is there white stuff round it? A. Just the face.
- Q. What happens outside the beard here? A. A spirit shroud.
- Q. Do not let us call it that for a moment. Is it a white thing? A. An ectoplasmic shroud.
- Q. Is it identical with what you would get if somebody had a white cloth over their head hanging down? A. No, sir.
- Q. What is the difference? A. It is a very white and fine substance.
- Q. What is the difference between that and butter muslin? A. I would not call it butter muslin.
- Q. Does it look very like butter muslin? A. Very like.
- Q. Is there anything else that it looks more like? A. No.
- Q. Then are we not right in saying it looks very like a shroud made of butter muslin? A. Yes.
- Q. Do Albert's boots appear? A. No, sir.
- Q. Do any feet ever appear? A. I have never seen any.
- Q. That is odd, is it not? A. I couldn't say.
- Q. If a helmet appears, perhaps boots might appear? A. I have never seen any boots.
- Q. Any rings on anybody's hand? A. No, sir.
- Q. Did you notice Mrs. Duncan's shoes were off? A. I could not say.

- Q. Oh yes, you can. You can say whether you noticed or whether you did not. A. No, sir, I did not notice it.
- Q. What is the reason for her dressing in black? A. That is just to cut any white out.
- Q. What is the point of cutting out anything that is white? A. It is further proof—
- Q. The spirit is supposed to come out quite independent of Mrs. Duncan, is it not? A. The spirit is built up out of the ectoplasm.
- Q. Does it mean it is independent or not? A. Yes.
- Q. Whatever it is built out of, it is an independent thing not connected with a robe or anything? A. It is part of the ectoplasm which comes from Mrs. Duncan.
- Q. Are you agreeing with me that it is independent of Mrs. Duncan? A. The spirit form is, yes.
- THE RECORDER: Is the ectoplasm sometimes apparently quite severed from Mrs. Duncan's body? A. No, it is not severed at any time.
- Q. What about when the form comes outside the curtain for two or three feet? A. It is still connected with Mrs. Duncan.
- MR. MAUDE: Can you see that? A. I have seen it.
- Q. What have you seen? A. Just like a tube.
- Q. We have not heard about this. A. Going into the curtain.
- Q. Which part of the body does the tube come from? A. I couldn't say.
- Q. That is very disappointing. Would it come from the ground, or from the middle or from the top? A. I couldn't say.
- Q. Tell me. A. It depends which side the spirit friend came out.
- Q. Supposing it comes from the middle, where is the tube? A. The spirit form is built out of this tube.
- Q. Where does the tube come from? From the spirit form or out of the head or stomach or feet? A. It is built up out of it. You get the connecting link from the medium and it comes out like that.
- Q. If you have a figure standing up and there is a tube from it, what I am asking you is, from which part does the tube go back into the curtain? A. From which part?
- Q. Top, middle or bottom? A. Usually about the middle.
- Q. Have you only just understood all these questions? A. Yes, sir.
- Q. Ever from the bottom? A. No, sir.
- Q. Ever from the top? A. No, sir.
- Q. Then why do you say usually from the middle? Have you ever seen it at all? A. Yes, sir.
- Q. How much of it have you seen? A. About a foot.
- Q. Ever any more than that? A. That is all I could see when the curtains opened.
- Q. Now let us go back to the original question. What was the necessity for her wearing black? A. As I said, it is just seance clothes and there is nothing whatever white about them.
- Q. Think how impressive it would be if the curtains were not closed and there was Mrs. Duncan sitting in white with a tube from her with Albert standing at the side. Why does she wear black? A. I could not say, sir.
- Q. Has it not occurred to you that it would be more interesting, as it occurs to some of us perhaps, to be able to see the white form of Mrs. Duncan? A. I have never seen the white form of Mrs. Duncan.
- Q. I did not ask that. Has it occurred to you that it would be more interesting if she wore white? A. I have not any idea of that.
- Q. Can you see any reason why the curtains should be drawn? A. No, sir.
- Q. You don't know of any? A. I can't think of any.
- Q. Have you ever asked her? A. No.
- Q. Didn't that strike you as common sense? A. No, sir.

- Q. If she goes into a trance and can be observed and the spirit form materialises under the eyes of the observers— A. I couldn't say.
- Q. Has that never occurred to you? A. It has, sir.
- Q. It has, has it? When did it occur to you? A. I couldn't just say.
- Q. What did you think about it? A. My own thought was this, that when these spirit friends come out they build up in certain sections, certain parts.
- Q. A sort of prefabricated form, is it? A. Well, different parts of the body perhaps materialise at any time.
- Q. You have never seen any legs, have you? There have never been any legs visible, have there? A. Yes.
- Q. At these meetings? A. Yes.
- Q. Women's legs or men's legs? A. Both.
- Q. Have you seen women's legs? A. Yes, sir, the shroud.
- Q. That is not the same thing, you know. You have never seen a pair of women's legs at a seance, have you? A. Just a solid form underneath.
- Q. What you have seen is a sort of white shroud? A. Oh no, it has been something solid, sir.
- Q. But not a shaped pair of legs? A. A solid form to hold the spirit, like.
- Q. How about gentlemen's legs: were they in trousers? A. No, just a solid form underneath the shroud.
- Q. In other words, you have seen neither trousers, nor legs with boots, have you? A. I have just seen a solid form underneath the robe.
- Q. Is Mr. Taylor Ineson coming to give evidence? A. I couldn't say.
- Q. Do you know whether he has been asked to come and give evidence? A. I don't know.
- Q. Have you seen him since the 19th? A. Since the 19th January?
- Q. Yes. A. I saw him up here.
- Q. At the Old Bailey? A. When I came up to the Court.
- Q. He was the gentleman who was supposed to have been talking to his brother Jarvis and was invited into the cabinet. A. Yes.
- Q. Do you know any reason why he should not have gone into the cabinet? A. I could not say.
- Q. Did he firmly refuse to go? A. He did refuse and he was invited in by his brother.
- Q. Did you hear the words "Bloody twisters" used? A. No, sir.
- Q. Did you hear something that might have been mistaken for it? A. I heard a quarrel and the brother said—because I was right near to the brother—his brother came out of the cabinet two and a half feet, Mr. Ineson was in the second row, he turned over my left shoulder and I heard him say, "You were always b—— sly", but he did not use the word "twister".
- Q. Did he use the word "bloody"? A. Yes.
- Q. That is what I took the "b" to mean. A. Yes.
- Q. "You were always bloody sly". A. "You were always", and then he invited him into the cabinet.
- Q. Mrs. Duncan is supposed to be in a trance, is she not? A. Yes.
- Q. Has she any remembrance at all as to what has happened? A. I don't think so.
- Q. Have you asked her? A. No, sir.
- Q. Has she ever asked you or your wife what happened so far as you know? A. No.
- Q. Not a word? A. No.
- Q. No interest at all as to who appeared? A. No, sir, she is not interested at all.
- Q. Did you or your wife ever tell her it had been so lovely that a parrot, a cat and a policeman had appeared? A. We never discussed it.
- Q. You never discussed it at all? A. No.

- Q. That is remarkable, is it not? Tell me about Mrs. Barnes' policeman friend. Was it a son? A. No, her father.
- Q. Have you found out since that he was a policeman in India? A. I was told.
- Q. That is what I thought. You remember you were saying this morning, "It looked like a topee, I should say". When did you find that out, that he had been a policeman in the East? A. Mrs. Barnes told me after.
- Q. After what date? A. She told me after Friday, the 14th.
- Q. If she had told you her father was a policeman before the 14th, that might account for Mrs. Duncan saying something about a policeman, might it not? A. I don't think so.
- Q. How many of these people have you known for some time. How long have you known Mrs. Doughty? A. About twelve months.
- Q. Mrs. Taylor? A. About nine months.
- Q. She receives money sometimes, does she not? A. Sometimes, just for the ordinary meetings.
- Q. Mr. Coulcher? A. About three months.
- Q. Mrs. Alabaster? A. About twelve months.
- Q. Mr. Gill? A. Mr. Gill only about four or five weeks.
- Q. Have they been meeting regularly at the church? A. No, only about two or three.
- Q. Did you manage to pick up anything at all about sad bereavements that they have had? A. No, sir.
- Q. Have you ever asked them about that? A. No.
- Q. What do you talk to them about? A. General things connected with the church and Spiritualism.
- Q. Do they come to the chemist's shop to buy things? A. Sometimes.
- Q. Is it correct, as you said this morning, that the only reason for the place-names was in order that the people should go quietly into their places? A. That is correct, sir.
- Q. I do not want to catch you about it. Think it over for a minute. Is that the only reason? A. Yes, sir.
- Q. Is there any doubt at all about that? A. No doubt whatsoever.
- Q. So that Mrs. Duncan had never told you or Worth, so far as you know, that it would be important not to have unbelievers in the front row? A. No, sir, she did not suggest anything at all.
- Q. Did you hear something like that during the evidence? A. No.
- Q. That the gentleman would have to go in the second row because of his disbelief? A. No, sir.
- Q. It is a nice orderly place, is it not? A. Yes.
- Q. Quiet middle-aged people? A. Yes.
- Q. Why do you think it is worth while going to the trouble of writing out all the names and putting them on the seats if you have got orderly people you could show, so to speak, into their places? A. This is the only reason. I have spoken about the quietness of the place. They can go straight to their seats and be as quiet as possible. Also if you did not put names on the seats there would perhaps be a little bit of disturbance. One would naturally want to go into the front row and, of course, you cannot put sixteen or eighteen people in a row containing only ten chairs.
- Q. Do you always write the names and put them on the seats? A. Yes.
- Q. Whether it is Mrs. Duncan or whether it is somebody else? A. No, sir, there is no need to.
- Q. At other seances where there are communications— A. We do not have other seances.
- Q. You have ordinary seances, do you not? A. That is a public meeting.
- Q. Then the seating is not arranged? A. No.

- Q. At the public meetings have you had the confusion of people trying to get into the front row? A. No.
- Q. How much were they charged? A. Which meetings?
- Q. Any meetings. A. It is just a silver collection, free admission.
- Q. Do you not charge 1s. 6d. beforehand? A. That is to reserve the seats to meet expenses. There are free admission seats left and a silver collection.
- Q. Is it 1s. 6d. to reserve a seat and then an extra 12s. 6d.? A. No.
- Q. I suppose people give something? A. Yes, they give what they want to give.
- Q. They generally do, do they not? A. Yes.
- Q. You have had no difficulty about order? A. No, sir.
- Q. Whose idea was it to put the names on the seats? Mrs. Duncan's? A. No.
- Q. Whose idea was it? A. Mrs. Homer's and mine.
- Q. You thought that out, did you? A. I have told you why we do it and for no other reason.
- Q. I am not suggesting it was not correct. Did you notice there was a muddle about the place where the doctor sat? A. Yes, I heard that.
- Q. Did you hear Albert ask about the lady with trouble to her bowels? A. I heard the condition being given.
- Q. Was that person on Mrs. Homer's right? A. On my right.
- Q. That ought to have been the doctor, did it not? A. No, sir.
- Q. Be careful about that. Do you swear it ought not to have been the doctor? A. I heard the condition of the old lady given and the doctor spoke up and it was not the voice.
- Q. You are not putting your mind to it. The person on your right ought to have been the Surgeon Lieutenant, ought it not? Yes or no? A. Yes, sir.
- Q. And after the lady with the bowel trouble there was somebody else with some medical defect with their earthly body. A. It does not matter where you sit. It is a voice vibration and the spirit comes to them wherever they are sitting.
- Q. The medical gentleman would be more likely to know about a deceased person with a disease of their bowels than an ordinary member of the public. A. It is the condition in which that person passed.
- Q. Had that never occurred to you? A. No, sir.
- Q. So far as the matter of insult is concerned, when the naval officer said, "Is it my aunt?" would that be thought to be an insult? A. No, it is a right thing to ask.
- Q. He was a fairly decent sailor, was he not? A. I did not see him.
- Q. Did you never see Worth? A. Yes, I saw Worth.
- Q. He said, "Is it my aunt?" A. Yes.
- Q. There is no reason why the etheric person with probably a good deal of patience in the next world should be impatient when asked that? A. She was not impatient. I only heard her reply.
- Q. What did she reply? A. "You are trying to act strange, aren't you?"
- Q. And then disappeared, did she? A. And then disappeared right in front of us.
- Q. As Albert said, "Hullo, Mr. So-and-so, I am glad to see you there"? A. No.
- Q. He recognised the people as being there. A. The position and the voice. It is on the voice vibration that the spirits come to that particular sitter.
- Q. He has got a mental deficiency about names, has he not? A. I don't know.
- Q. You never heard him name anybody, did you? A. Do you mean a sitter?
- Q. Yes. A. No.
- Q. Did that strike you as odd? A. No.

- Q. The spirit itself would know whether it was somebody's hand, would it not? A. I could not say.
- Q. "Your grandmother". It never knew anybody's name, did it? Have you embraced one of these spirit forms? A. Not myself.
- Q. Why not? A. I have only had my own mother come through; not on the 14th.
- Q. If you had your own mother come through, why not embrace her? A. She spoke to me and I was perfectly satisfied with what she told me.
- Q. What did she tell you? A. She was very pleased. I recognised her by her features, and she told me how pleased she was at the work I was doing. I asked her, "Mother, are you all together?" and she gave me wonderful confirmation and she said, "Yes, four of us".
- Q. Was that the wonderful confirmation? A. Yes.
- Q. What date was that on? A. I could not say. It was one of the seances between the 12th and the 19th.
- Q. And for that time you had been for hours and days with Mrs. Duncan, had you not? A. I only saw her when she came to the seances.
- Q. I suppose at some time or other you were interested in the fraudulent side of mediums' work? A. Never, sir.
- Q. Do you know what I mean? It is common knowledge, is it not, that there have been thousands of fraudulent mediums? You had heard of that, had you not? A. I had heard of them, sir.
- Q. And you know it is so, don't you? A. I have never come in contact with any.
- Q. Have you any doubt there have been a lot of fraudulent mediums? A. There have been, but I have never contacted anybody.
- Q. Did you know that one of the easiest things was to be deceived as to recognition of a spirit? A. I could not say.
- Q. Have you ever read the works of a famous medium called Holmes? A. No.
- Q. Have you ever heard of Mr. Holmes? A. I have heard, but not read his books.
- Q. Did you know that a gentleman recognised his daughter Lizzie in Holmes when he covered his moustache with a piece of flesh-coloured scarf and reduced the size of his face? A. No, sir.
- Q. Have you ever read of that? A. No, sir.
- Q. Have you ever tried to do it to see what it looks like? A. No, sir, I am afraid not.

Re-examined by MR. LOSEBY.

- Q. You have been asked about many matters. I want to get it quite clear. As far as Mrs. Duncan is concerned, do I understand you to say she had a fixed fee? A. We paid her a fixed fee.
- Q. How much was it? A. On this occasion £8 a seance.
- Q. So much a sitting? A. Yes.
- THE RECORDER: Did she have a contract with you? A. Not a contract with us. She used to visit us.
- MR. LOSEBY: There was not a written contract? A. No.
- Q. Does she even know before she comes into the room either how many people there are going to be or who the people are? A. Never, sir.
- Q. She does not know that? A. Not a thing, sir.
- Q. Whether she is wise or whether she is not wise, has she got anything to do with what is done with the proceeds? A. No, sir.
- Q. She has so much a sitting. A. Yes.
- Q. Do try to follow me. Did she have anything to do with or had she any control over what you or your church did with the sitting? A. No, sir.
- Q. As far as you know, would she know at all upon the 14th where Mr. Worth was sitting and where the doctor was sitting? A. No.

Q. If I understand you, that was put on simply and solely for convenience.

A. That is right, sir.

Q. As far as you are concerned with the money, the twelve-and-sixpences, whether you have been wise or whether you have been unwise, have you or your wife in particular raised a fairly considerable sum of money for charities during the past year or two? A. During the past year or two?

Q. Just answer my question. Have you? A. Yes, sir.

Q. Have you at my request brought your receipts here? A. Yes.

Q. You have told us what you gave on this occasion. How many subscribing members are there in this little church of yours? A. We have no membership.

Q. What is the average attendance? A. The seating of the church is about forty people, just a small charge.

Q. Have you in the past two years given away in charities by reason of this and similar things a sum in the region of £300? A. Yes, sir.

Q. To the Aid to China Fund alone did you give £100? A. Yes.

Q. Whether you were right or whether you were wrong, when you paid the money to Mrs. Duncan for these seances and deducted overhead charges was it your intention to deal with the proceeds by giving them to some charity or another? A. Yes.

Q. Is that a number of receipts with a rough summary showing payments of £276 3s. 1d. between the 11th February, 1942, and the 11th February, 1944? A. Yes.

Q. And further showing that there is a sum of £20 for which you have got no receipts? A. Yes.

Q. And also showing that you have receipts for £135 in addition for National Savings? A. Wings for Victory.

Q. Your wife is one of the people who interests herself in these things. Glance quickly at them. (*Receipts handed to the witness*).

THE RECORDER: You need not bother to go through them. Can you give me the receipt showing the disposal of this £30? That is the most recent. January of this year it was. A. They are not here. Lord Woolton's 15 and the 5—

Q. I asked you a simple question. Show me the receipt for this £30 18s. 9d. which you say went to charity. I should have thought this might have been got ready for you. You have got a number of people to assist you.

MR. LOSEBY: Have you got the receipts? A. Yes, I gave them to counsel.

THE RECORDER: Then might they be looked for presently and we can have them later on? I should have thought it would have been quite a simple thing to let us have them. You have got a solicitor to get your papers ready, have you not? A. Yes.

MR. LOSEBY: Have you got receipts under the heading of Lord Woolton? A. Yes, I sent them up.

Q. Have you got them in that bundle? They are all numbered, I believe.

THE RECORDER: Are you going to look through them again? A. It will not take me long, sir.

THE RECORDER: That is the third time.

MR. LOSEBY: Look at the key with all the numbers on it.

THE RECORDER: Hand all those papers back. This is too much. Give them back to the solicitor and let them be looked up and we will have them handed back presently. It is no good for the witness to be floundering about with a lot of papers. I have asked for a receipt showing the disposal of this £30 odd in January of this year and nothing else. That is all.

MR. LOSEBY: You have also been asked about the lighting. Were you in control of the lighting? A. I fitted the lighting up.

Q. Were you in control of it? A. No.

- Q. I understand there were three lights, a white, a red and one in between. What was the one in between? A. Green.
- Q. What is the point of the green light? A. On the wall side—
- THE RECORDER: He has told us that. What you wanted to know was who controlled them, and he said he does not know. I do not know whether he has remembered since I asked him the question. (*To the witness*) Have you? A. Only about the one light.
- Q. Who put the white light and the green light out? A. I could not say who put the green light out—the white light.
- THE RECORDER: He does not remember.
- MR. LOSEBY: Was the point of it to go from the full light down to—
- THE RECORDER: He says it was to get them accustomed to the red light.
- MR. LOSEBY: What was your particular job in that room? A. To sit there and, when Mrs. Duncan came out of the cabinet, to get her a glass of water and a cigarette.
- Q. You mean between the time that she came out of trance and was herself again? A. Yes.
- Q. Is that the position? A. Yes.
- THE RECORDER: Are you interested financially in any of these demonstrations? A. No, sir.
- Q. As a druggist what are your net profits a year? A. I have two businesses, a drug store proprietor, not druggist.
- Q. At these premises? A. Yes.
- Q. What is the net income from that? A. Roughly about £4 a week.
- Q. Have you any other source of income? A. Yes, I have some property in Birmingham which I get a rent from.
- Q. Roughly speaking, what do you get from that? A. £3 a month.
- Q. £36 a year. Anything else? A. Mrs. Homer has some property in London.
- Q. Is that all your property? A. Yes.
- Q. And that is all your own income? A. Yes.
- Q. We have no evidence about Mrs. Homer, but we are told that you are not actually married to Mrs. Homer. Is that so? A. Yes.
- Q. That is only material from the point of view of your being charged together with conspiracy. A. For twenty-six years.
- Q. Yes, there may be good reasons for it. Is Christine a daughter of that relationship? A. Mrs. Homer.
- Q. Is she a daughter of you both? A. Not my daughter, sir.
- Q. She is Mrs. Homer's daughter, is she? A. Yes.
- Q. What is Mrs. Homer's financial position? A. Rents from property in London.
- Q. What are the net profits from the property? Is it £100? A. No, not so much as that.
- Q. Under £100 a year? A. Yes, sir, because there are expenses on the property to be paid.
- Q. Is it under £50? A. No, sir.
- Q. You ought to know because you might have to pay income tax on your wife's income. Who founded this church? A. Mrs. Homer.
- Q. Was she rather the leading spirit in the matter? A. She was the President.
- Q. She took this up before you, I rather gather? A. Yes.
- Q. Introduced it to you and you took an interest? A. Yes, sir, eight years myself, Mrs. Homer much longer.

(The prisoner Homer returned to the dock).

THE RECORDER: When and if these receipts are found they can be produced.

MR. LOSEBY: Yes, my Lord, I have asked for them.

THE RECORDER: Mr. Loseby, I understand you are not calling Mrs. Homer.

MR. LOSEBY: My Lord, I am not calling Mrs. Homer.

THE RECORDER: Or Mrs. Brown.

MR. LOSEBY: I am not calling Mrs. Brown, my Lord, but my friend thinks I ought to make it quite plain. I propose to put Mrs. Duncan into the box on oath in order that my friend can cross-examine her at perhaps a later stage, subject to your Lordship.

THE RECORDER: I thought we had dealt with that matter. If Mrs. Duncan was going into the witness box she ought to have gone in first. I made that as plain as I could and you certainly told me that you were not going to call her as a witness. I understood from you you would proffer her for some kind of experiment.

MR. LOSEBY: Yes, my Lord.

THE RECORDER: That offer can be made through you as her counsel.

MR. LOSEBY: Yes, my Lord.

THE RECORDER: I understand you make it.

MR. LOSEBY: I make that proffer.

THE RECORDER: I shall not allow the jury to be troubled with a matter of that sort. This trial must proceed upon the evidence of witnesses relating to matters which have taken place. That is what we are trying, so that is the end of that.

MR. LOSEBY: I ought perhaps to draw your Lordship's attention——

THE RECORDER: You have made the offer. If you think it is necessary to address me, by all means do; but I do not think there is very much likelihood of my being inveigled into letting this jury's time be occupied in witnessing some demonstration or other. It is bad enough for a jury to have to try a case from Portsmouth without their time being occupied by witnessing exhibitions which may or may not assist them. You have made your offer, Mr. Loseby. You can make your comment upon it, and that is all there is.

MR. LOSEBY: If your Lordship pleases.

THE RECORDER: Now we had better go on with the evidence.

GEORGE MAYER MACKIE, *Sworn.*

Examined by Mr. LOSEBY.

Q. Is your name George Mayer Mackie? A. Yes.

Q. Are you a Wing Commander? A. Yes, sir.

Q. Are you a Spiritualist? A. I would not say I am a Spiritualist any more than probably eighty per cent of my fellow men who believe in survival, and that sort of thing. I would rather describe myself, I think, as a Survivalist than a Spiritualist.

THE RECORDER: That is part of the Christian belief, is it not, survival after death? A. Yes.

MR. LOSEBY: You are not a member of any spiritualistic church, are you? A. No. I am psychic myself and I have no ambitions in that respect.

Q. Have you been an investigator? A. I have, for a number of years. My wife is a Spiritualist and in ordinary conversations in the home I hear these things and I am naturally interested, and when I get an opportunity of finding out anything I like to do it.

Q. You were present, were you not, at a seance with Mrs. Duncan on the 14th January, 1944? A. I was, sir.

Q. That was not the first time that you had had a seat with Mrs. Duncan, was it? A. I attended a seance in September of the year before and this second seance was really something in the nature of a confirmatory thing. I was in two minds whether to go to that or not, and I went along just because the opportunity offered.

Q. You did attend a sitting with her in September, 1943, did you not? A. That is correct.

Q. I want to take the whole thing as shortly as I can.

THE RECORDER: You attended a sitting where? A. In the same place.

Q. With Mrs. Duncan? A. Yes, it was a seance.

MR. LOSEBY: That seance was on the 3rd September, 1943. I don't want to go into that very much, but upon that occasion were there certain phenomena of particular interest to yourself? A. Very definitely, sir.

Q. Would you be good enough to tell my Lord and the jury what they were? What was the first thing that interested you personally very much? A. My own mother materialised in the first place. We had rather a conversation on things that, I think, were probably unknown to Mrs. Duncan and almost unknown to everyone else in the room, with the exception of my wife. Later in that seance a brother—

Q. Tell me about your mother first of all. A. Do you want me to tell them the whole thing?

THE RECORDER: You say your mother materialised and spoke to you. A. Yes.

Q. Had your wife been going to these premises before then? A. Yes.

Q. Was it she who introduced you? A. Yes.

Q. I suppose Mrs. Duncan would know a little about your mother? A. Very little, she died in 1927.

Q. Yes, but everybody tells their friends what a wonderful mother they had. A. Oh yes, sir.

Q. Your mother materialised and you spoke to her? A. I did, sir.

MR. LOSEBY: How close did she get to you? Did you see her? That is what I want to know. Tell us all about the identification.

THE RECORDER: I do not want to shut it out, but I do not want too much detail because I am a little doubtful whether it is at all relevant to this trial. This was a previous occasion, but I am not excluding it. A. I could say briefly my mother emerged from the curtain.

Q. You were satisfied it was your mother? A. Yes, I was in the second row of chairs. I stood up and leant over to get as near as I could without disturbing the people in front of me. I suppose our faces might have been three to four feet apart, and I have no doubt in my opinion that the features were those of my mother. A man knows his mother. I have the advantage also of knowing my father.

THE RECORDER: Well, that's something. When did your mother die? A. In 1927.

MR. LOSEBY: Was there any other point of identification that you particularly remember? A. No, sir. There was nothing unusual about my mother. She had no marks on her face or anything of that sort, but I would say, sir, that she was a comparatively slight woman. She was a woman of seventy-five when she died and might have tipped the scale, when I last saw her in 1915 when I left Australia to come home for the war, at seven or eight stone.

Q. Upon that occasion was there anything else of particular interest? A. In the conversation she discussed home affairs, intimate little things. She addressed remarks to the others. She was just that type of woman, just the sort of thing I would have expected her to do. She referred to her routine life in the house, how she used to carry out her baking and things like that, just the sort of things that a woman would do.

Q. Apart from your mother, was there one particular interesting thing? Can you remember anybody else upon that occasion that you identified? A. That I identified?

Q. That you saw. A. I identified a brother and got close enough again to him to see that he had a moustache and to say, "By gosh, Jack, you have still got your moustache". He said, "Yes, I have". I got close enough

to see that. We didn't have very much conversation. He faded from me. I got equally close to him as I did to my mother and there was what I considered to be a rather unusual incident. By this time I felt I was rather buying up the seance at the expense of others, who had paid to go there. I had not paid; my wife had paid for me. Albert, the guide, said, "There is someone here by the name of Helen who wants to materialise". The name "Helen" was very definite. I knew I had a sister Helen who died years ago, but I did not want to claim it because I thought it was time the other people who had paid should get some show. Nobody else called it and he said "Come along, this is very insistent to come through", and he said, "Look here, it is the man in Air Force uniform". I was dressed as I am to-day, so I said, "I do know a Helen, but she died before I was born". She was the second eldest in my family, and I never knew her. He said, "That does not matter, she is here and she is not a child now". I was invited to ask her to leave the cabinet, which I did, and she came very close and I am very definite that her features did not represent those of Mrs. Duncan. I said, "If you are my sister Helen we have never met", and she said, "But I have always been with you and it is a very happy day in our family because we have been looking forward to this day".

Q. What did she look like? A. She looked very beautiful.

THE RECORDER: Was there an ectoplasm present? A. I would not say so. She was dressed in a flimsy sort of robe.

Q. Did your mother appear in an ectoplasm or not? A. Well, I did not see enough of the features to see her complexion. The robes, I take it, were ectoplasm but I am not an expert on these matters.

MR. LOSEBY: The features in every case— A. The features in every case were clearly discernible, even to the tan on my brother's face. It was not a white face. I find it difficult to say these things in this court because I know what ridicule there is for all these things and I know how my brother officers are going to respond to this, but I want to have my say.

THE RECORDER: Have you had it? A. Yes, sir.

MR. LOSEBY: On Friday, the 14th January—I do not want to trouble you with anything—do you remember first and foremost the case of Mr. Worth, the naval officer? A. I remember two naval officers sitting in front of me to the right. I do not know their names. I had never met them before.

Q. Do you remember what happened in their case? A. Fairly well, I think.

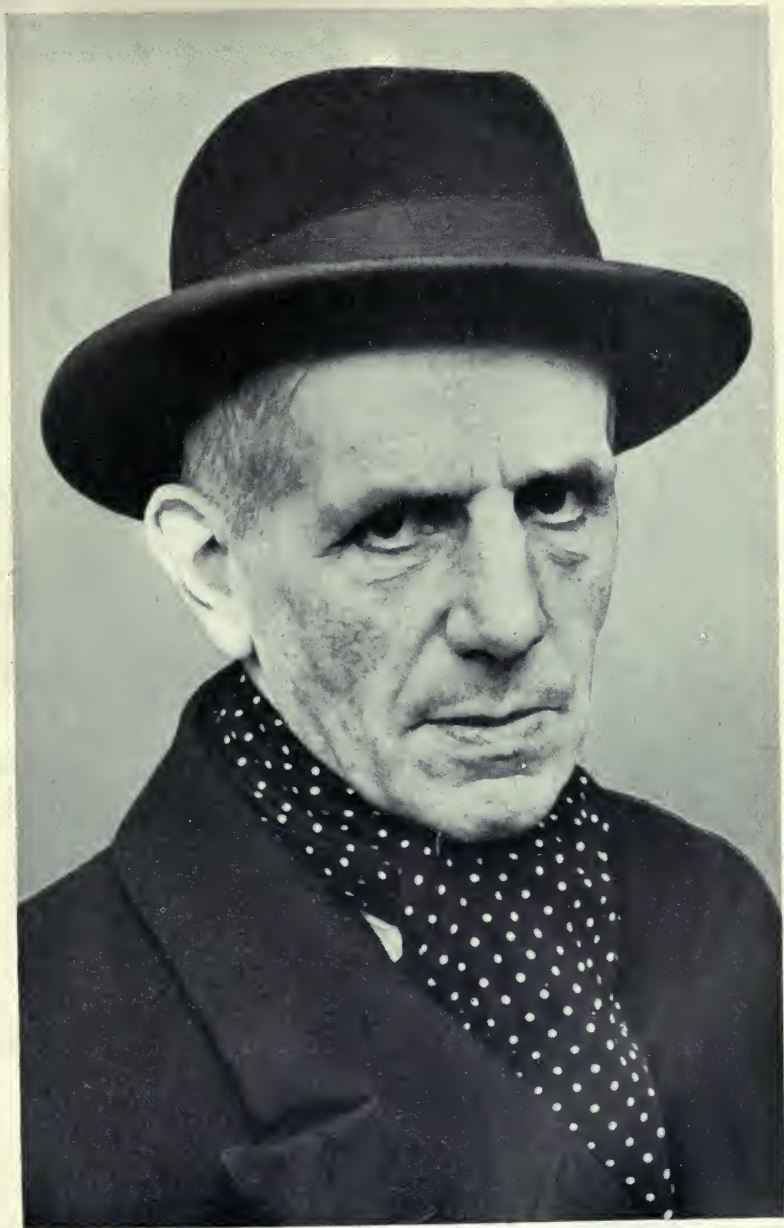
Q. Tell my Lord and the jury as well as you can? A. The question of the relationship I am not too positive about. I suggest, as I remember it, Albert said, addressing the naval officer who was sitting in front, that a relative wished to build up and the naval officer—excuse me if I don't call him by his name—was rather diffident. He did not appear to have any confidence in it. I concluded this was the first time he had been to a seance and he was a bit shaky on the matter, and I had a bit of sympathy with him. He did not respond as other people responded. Other people were a bit enthusiastic, but he was not, and he was reproved by Albert. He said, "Come, come, people have got to be invited out"—something to that effect. I gathered then that Lieutenant Worth said he had not got an aunt, but beyond that I am not too clear on that point.

THE RECORDER: There was an incident like that, was there? A. Yes, definitely. I might say that Albert said, "You are not a Spiritualist, are you?" and he said—

MR. LOSEBY: Do you remember the exact words used? A. Yes, that part I do remember. Albert repeated, "You are not a Spiritualist, are you?" and Lieutenant Worth said, "Well, I am an investigator or enquirer".

Q. I do not know the answer to this or whether you saw it. Did a figure come out? A. Not to my recollection.

Q. You do not remember that? A. No, sir.



MR. C. E. LOSEBY



THE OLD BAILEY BEFORE 1770

- Q. Do you remember the second thing that happened? Do you remember anything else happening in regard to Lieutenant Worth? A. Yes, sir, there was a sailor.
- Q. Tell us about the sailor. What was said? A. The impression I have is that sailor was trying to build up for Lieutenant Worth, who again appeared to be diffident about claiming him.
- Q. Was he told who it was? A. No, sir, I do not think there was any relationship claimed or relationship given, but Albert told him in so many words that there was really no rank. I rather thought it was a bit of a reproof to tell the Lieutenant that there was no rank.
- Q. What was the relevance in regard to rank; how did that arise? A. I got the impression that Albert thought he might be standing on his dignity.
- Q. Who did Albert say that it was? A. A sailor; what you might call a matelot.
- Q. Can you remember the next question in regard to Mr. Worth? Perhaps you can't remember it? A. I don't think I do, sir. You will appreciate that it did not matter two hoots to me. I would not recognise them if I saw them and my interest was chiefly centred in what I could recognise. I was not there to write down things. I might have taken a stenographer if I had been. My own folk I am very definite about.
- Q. Tell us the things you yourself noted? A. Do you mean in this particular case?
- Q. Yes, on the 14th. A. Much to my amazement, and probably to that of many others there, a parrot built up.
- Q. Did you notice the parrot itself? A. Whether I happened to be at the right angle or not, I do not know, but I got a very good view of that when the light seemed to strike it. Previous to that, or immediately after, a cat had built up which I frankly could not see, but I have got a parrot of my own at home and I know its actions. It was a pretty friendly parrot and it started ducking its head in correct parrot fashion. I am quite sure it was not any muslin or anything of that sort; at least that is what I think.
- Q. Did anything personal to yourself happen? A. My mother came again.
- Q. Did you recognise your mother? A. Yes, just as much as I did the first time.
- Q. Have you any doubt about it at all? A. No doubt at all, sir.
- Q. Did you have a conversation with her? A. Yes. I said, "You know, mother, I very nearly did not come here to-day", which was a fact. My work happened to finish a bit earlier and I managed to get away. I rang up my wife and we went together. She said, "I would not have come if it had not been for Muriel".
- Q. Have you got anyone called Muriel? A. I have a daughter called Muriel in the North of England.
- Q. Would she be known to your mother? A. Yes.
- Q. Did Mrs. Duncan know that you had a daughter Muriel? A. I could not answer that, sir.
- Q. Was there anything else that you particularly observed that day? A. It was my mother I really went to see, and beyond that I was not really interested in anything.

Cross-examined by MR. MAUDE.

- Q. Wing Commander, when you went on the 14th I notice you said it was a confirmatory thing. A. That is correct, sir.
- Q. Does that mean that you were substantially convinced about these things before you went there? A. I should think I was then as I am to-day. There are things that I cannot understand and there are things—well, it applies both ways.

- Q. Would it be fair to say that you described it as a confirmatory thing? You were tending to believe that persons did come back and were visible?
A. Yes, sir.
- Q. It never occurred to you, did it, for an instant that Mrs. Duncan would get up and commit a fraud? A. I think that would be putting it wrongly, because I think anyone who went to a materialisation seance and did not look for anything like that would be a blind fool, which, of course, I am not.
- Q. Did you go thinking there might be a swindle? A. I went there expecting to see it, but I also had my eyes open sufficient to observe any evidence of fraud, if there was any.
- Q. Did it occur to you that if a medium was dressed in black and had no white showing that she would in all probability be quite invisible? A. It would be if the room was in perfect darkness.
- Q. As to the strength of the light, how near did you have to get to the face to recognise it? A. I should think one would have to be within three or four feet. I went close enough to be quite certain. To be certain of anyone's features I should think one would have to get within three or four feet. That is the figure; I had no means of checking it.
- Q. How far from the curtains were you sitting the first time you saw a materialisation? A. I should suggest the figure advanced three to four feet from the curtains, and I would estimate that the second row of chairs was eight to nine feet from the curtains.
- THE RECORDER: Are you both speaking about September, 1943?
- MR. MAUDE: I hope so.
- THE WITNESS: The same thing applies. My seat was almost identical at both seances.
- Q. Was there a name on it? A. A little card which I changed over, and I sat in someone else's seat.
- Q. Who did you change seats with in September? A. I did not change in September.
- Q. I am talking about September. Were the names on the seats in September? A. I cannot recollect any names on the seats in September.
- Q. Apart from the seances when Mrs. Duncan had been present, have you ever noticed the names on the seats? A. I never have, sir.
- Q. Have you never been there except to see Mrs. Duncan? A. No, sir.
- Q. How long has your wife been going to this Master Temple? A. I don't know.
- Q. Oh? A. I frankly do not know. My wife has been going to Portsmouth as a Spiritualist for seven or eight years, but I did not go with her, and very often I am opposed to her going, on the grounds that I think she is meddling about with things which she might just as well leave alone.
- Q. She has been going for seven to eight years to Spiritualist places in Portsmouth and you have not the slightest idea where she goes? A. I have been to a place which I know she does not attend, but that was some years ago.
- Q. Does it appear to you that a thing can be held up like that (*indicating*) in front of a person dressed in black? A. I see what you mean, but it never occurred to me before.
- Q. Round the face of your mother, and your brother was there anything white? A. I wouldn't be prepared to swear to that. I should think probably yes, but that is a shot in the dark.
- Q. It may be completely in the dark. Can you not remember whether there was a face appearing out of something white? A. Yes, I suggest it was.
- Q. I am suggesting it to you. A. I would say the white was over the head and down the sides.
- Q. Are you thinking of that now because I put it into your head? A. No, I don't think so.

- Q. Are you sure it isn't that? Supposing I suggested you were quite wrong about that and that all you saw was the face? A. You are not suggesting, I suppose; that I am trying to tell you something which is not true?
- Q. No, I am trying to find out what you recollect. A. Yes.
- Q. Would it be right to say that you simply saw the face? A. No.
- Q. What did you see? A. I saw the face with the white round it.
- Q. How far down did the white go? A. To the floor, I should suggest.
- Q. Did you see any boots? A. No, I did not see any boots.
- Q. Did you see any policeman? A. No, sir. I saw someone who claimed to be a policeman. Do you mean in spirit life? I was not there when the other policeman came in.
- Q. I do not mean somebody in the Portsmouth Police but a spirit policeman. A. There was a man came through.
- Q. We are still on the 14th? A. Yes.
- Q. Did you see a policeman? A. I did not see a policeman. There was a spirit form built up who entered into conversation with someone else who, I think, said aloud to a neighbour that he had been a policeman, whereupon he said, "Yes, I will go back and get my helmet".
- Q. And that he did? A. Which he did.
- Q. Did you see the helmet? A. I saw the form of the helmet.
- Q. I thought you were telling me just now you did not see a policeman? A. He—
- Q. Listen a minute. You are telling us now you did see a spirit policeman with a helmet. Which is it? A. I did see a form which claimed to be a policeman with a helmet on, but I did not know whether he was a policeman or not.
- Q. Did you not understand that from what I asked you? A. I think it was a bit ambiguous.
- Q. What sort of helmet was it? A. Like a policeman's helmet.
- THE RECORDER: It was not a policeman's cap, was it? A. No. I think it would be fair to say that my own vision might have been prejudiced by the fact that he said he had gone to get a helmet. I think I should have seen anything if he had said he had got it.
- Q. You mean the ordinary blue helmet? A. Yes, that was the impression I had.
- Q. The ordinary blue helmet that you see in the streets every day? A. Yes, that is how it impressed me, sir.

HAROLD BASIL GILL, *Sworn.*

Examined by MR. PEDLER.

- Q. Is your name Harold Basil Gill? A. Yes.
- Q. Do you live at 41, Dunchurch Road, Southsea? A. Yes.
- Q. What are you? A. An Approved Society official.
- Q. On Wednesday, the 19th January, did you attend a seance at 301 Copnor Road? A. Yes.
- Q. What caused you to go? A. I was investigating Spiritualism.
- Q. How much did you pay? A. 12s. 6d.
- Q. Who did you go with? A. With my wife.
- Q. Anybody else? A. Mr. Coulcher.
- Q. Where did you sit? A. In the front row next to Mr. Homer.
- Q. On his right or left? A. Left.
- Q. Who was on your left and who was on her left? A. Mrs. Alabaster was on my left and Mr. Coulcher on Mrs. Alabaster's left.
- Q. So it was Mr. Coulcher, Mrs. Alabaster, yourself and Mr. Homer? A. Yes.
- Q. In that order? A. Yes.
- Q. Did you have any materialisation to yourself? A. No.

- Q. Do you remember some happening during the materialisation? A. Yes, the form of a boy came through, but just as he pulled the ectoplasm away there was a scuffle at the back. First of all I thought it was a man who fainted, but apparently what happened was this: Mr. Homer next to me was pushed violently to the floor and a man made a dive towards the curtain. He appeared like a maniac to me. He was clawing the curtain and as he was doing that a woman jumped forward to pull him back and I recognised my wife by her grey fur coat.
- Q. Where was your wife sitting? A. Next to Mr. Homer.
- Q. Two away from you? A. Yes, on his right. The man appeared to fall through the curtains and, as he fell through, a torch was switched on from behind me which shone into the cabinet and there I saw Mrs. Duncan in the chair with a man staggering across her.
- Q. How did the curtains keep open like that? A. He fell through the curtains.
- Q. Who opened the curtains? A. The man who fell through the curtains.
- Q. You mean the policeman? A. I afterwards found out it was a policeman. I thought at first he was a maniac.
- Q. You were on the third chair from the wall? A. Yes.
- Q. How far was Mrs. Homer from you? A. Mrs. Homer?
- Q. Mrs. Duncan, I mean. A. I should think she was about two and a half feet away.
- Q. As near as that? A. Yes, very near to me.
- Q. Explain to the jury exactly what you saw in those seconds? A. When the torch was switched on the cabinet I saw Mrs. Duncan in the chair with a man staggered across her. He pulled the chair slightly to my right and then he appeared to pull the medium from the chair out into the room.
- Q. From the cabinet? A. Yes, and at that moment a police whistle went and a man came up and I saw a man with a trilby hat come in, followed by other men and a woman, and the man in the trilby hat said, "You are all under arrest".
- Q. Where was Mrs. Duncan at the time? A. On an upturned chair being supported by my wife. She had her hands like *that*, supporting her.
- Q. What was the condition of Mrs. Duncan? A. She was very distressed indeed and she said, "I am very ill, I am dying. Please get me a doctor". She repeated this. "Please get me a doctor", but the man in the trilby hat, very rudely as I thought, said, "You will get one".
- Q. Did you see anything of the last spirit form? A. Yes, I saw, as he dived, the spirit form vanishing.
- Q. When you say "vanishing", what do you mean? A. Going down. The last I saw was a wee piece of ectoplasm—you know what ectoplasm is, don't you?—going down. I knew it was ectoplasm. It went down and vanished through the floor.
- Q. To the left of the cabinet? A. Right in front of the cabinet. It went down like that. It seemed to go right through the floor.
- Q. What happened to the constable? A. He was very scared and frightened.
- Q. Was he frightened? A. Definitely. There is no doubt about that.
- Q. What did he look like? A. He looked as if he had really seen a ghost. He was definitely very scared indeed.
- Q. It is suggested there was a sheet which somebody in the audience had. A. Ridiculous. If there had been a sheet I should have seen it. I was an investigator and I should have noticed any deception. It is what I went there for.
- Q. How far was your chair from the wall on your left? Between the wall and yourself the sheet must have gone if it had gone into the audience? A. Yes.
- Q. Did you see one at all? A. A sheet?

- Q. Yes. A. No, certainly not. I only saw the whiteness of the ectoplasm going down through the floor.
- Q. Who was sitting on your left? A. Mrs. Alabaster, and on her left was Mr. Coulcher.
- Q. Did you see Mrs. Homer at all? A. Yes. Mrs. Homer was sitting on the windowsill on my left and on Mr. Coulcher's left.
- Q. It would be left rear, would it not? A. It would be left backwards a bit by the windowsill.
- THE RECORDER: Is this the position, Mr. Gill: somebody has marked it on the plan *there*. A. Yes, my Lord, that is quite right. I am eighth there.
- MR. PEDLER: You said "Ridiculous" with regard to the sheet passing without your seeing it? A. Well, it would have to be a big sheet.
- Q. It would have to be a little one for you not to see it at all. It would be non-existent, in other words? A. Well, non-existent, I should say. There was not a sheet there to my estimation, of course, and if there had been one there I should have picked it up because I was only an investigator. I was not a Spiritualist at that time.
- Q. You did not see it pass over Mrs. Alabaster and back to Mr. Coulcher? A. No.
- Q. Did you hear the police accusing anyone of having it? A. Yes.
- Q. What did he say? A. A man called Cross—
- THE RECORDER: We have had all this, and I do not think there has been any dispute about it, Mr. Pedler, so far as I can recall.
- MR. PEDLER: If your Lordship pleases.

Cross-examined by MR. MAUDE.

- Q. Mr. Gill, I notice you describe yourself, probably quite accurately, as an investigator. Does that mean that you are not quite a believer about it? A. I am now, but I was not at that time.
- Q. You have crystallised your belief. A. In the first place I was impressed by Lord Dowding's address last November.
- Q. Can you tell me why you became a believer? A. After I had seen Mrs. Duncan's demonstration on the 19th January.
- Q. That is the very date. A. Yes, because I was convinced that the spirit forms actually materialised under my eye. That is what convinced me.
- Q. It would be a fair way to describe it as from that date you had been a convert to the spiritualistic theory of these matters? A. No doubt about it.
- Q. My learned friend kept on referring just now to the suggestion that there was a sheet, but just put that word out of your mind for one moment; do not bother about "sheet". You have seen ectoplasm how many times? A. Twice, on the 12th January and the 19th.
- Q. Did you only see it once on the 12th January? A. I saw it several times.
- Q. You saw it several times on the 12th? A. Yes.
- Q. How many times on the 19th? A. Roughly three times.
- Q. How far away from it were you? A. About two and a half feet.
- Q. What does it look like? A. It looks like a very white material.
- Q. First of all is it white? A. Yes.
- Q. What else does it look like besides being white?
- THE RECORDER: White material.
- MR. MAUDE: Does it look like white material? A. Well, you would not call it material.
- THE RECORDER: That is what you called it. A. It was too fine.
- MR. MAUDE: Too fine? A. Yes, I think it would be too fine.
- THE RECORDER: A white cloud. Would that be better? A. No, I would not call it a cloud. It was like a robe.

- MR. MAUDE: We have all got robes on here but at a distance it is impossible to say what it is. One guesses it is a material, but you were only two and a half feet off it. Could you see a robe with a weft? Was it a woven thing?
- A. No, it did not look like a sheet of actual material that you see in the shops. It looked like a transparent sort of stuff.
- Q. It is a transparent looking thing, is it? A. Well, you couldn't see right through it.
- Q. How much did you see going down into the floor? A. I think about the size of a pocket handkerchief.
- Q. About that size? A. Bigger than that.
- Q. Like that? A. Not as big as that. You wouldn't call that a pocket handkerchief, would you?
- Q. No, but it looked like it when it was bunched up. A. That is a large size pocket handkerchief, is it not?
- Q. Yes, it is, but it turns out not to be one. Did the stuff look like that? A. Nothing like that.
- Q. Have a look at this one. (*Muslin handed to the witness*) A. No, nothing like this. This looks yellow. The stuff was pure white.
- Q. First of all that is white. You can see through it, can't you? A. Yes, quite.
- Q. Did you ever see round the person, round the materialised spirit? A. I never saw the back of her, only the front.
- Q. Could you see the front? A. I had seen the side on the 12th when a woman came right out of the cabinet.
- Q. What did you notice then? A. I saw the side of her.
- Q. What did you see? A. Like a white form. I saw her face very clearly and she had a nun's hood on.
- Q. What else did you see? A. How do you mean?
- Q. What did you see when you saw the side of the figure right out of the cabinet? A. I saw the spirit form was draped in what I now know to be ectoplasm.
- Q. Anything else? A. I saw the woman's face, which was certainly not Mrs. Duncan's face.
- Q. Was Mrs. Duncan anywhere near? A. No, at that time I assume she was in the cabinet.
- Q. Were the curtains drawn? A. They were open about that much.
- Q. Could you see through them? A. I couldn't see into the cabinet.
- Q. Was anything poking through the curtains? A. No.
- Q. Nothing at all? A. There was some sort of white streak.
- Q. Where was it? A. On the floor.
- Q. How big was it? A. It was not big at all. That would be the ectoplasm from the medium, you know.
- Q. If you get more than a yard away by that red light, is it possible to see anything at all clearly? A. Do you mean in front, or at the back of it?
- Q. Supposing there is a face of a human being, can you see it? A. Yes.
- Q. Can you see a face in the audience? A. Yes, quite clearly.
- Q. Really? A. I saw the face next to me.
- Q. Could you see the one next to that? A. The one at the back of me.
- Q. I did not ask about that. Could you see the next one beyond the next one to you? A. I could see Mr. Homer's face and my wife's face.
- Q. Could you see beyond that? A. Not clearly.
- Q. Otherwise you could recognise them quite well, could you? A. Yes.
- Q. How long have you been going to this place? A. I started to go on the 12th January.
- Q. Had you never been before? A. I had never been before in my life.
- Q. Had you ever been to a spiritualist meeting before? A. Yes.

*Mr. Maude crushed the butter muslin into a ball.

- Q. Where? A. At the Portsmouth temple.
- Q. Is that the same place? A. No, that is in Victoria Road, Portsmouth.
- Q. How long have you been going to Spiritualist meetings? A. Ever since that day.
- Q. How long have you been going to Spiritualist meetings? A. Since the 3rd November of last year when I heard Lord Dowding.
- Q. Is your wife a Spiritualist? A. Yes.
- Q. How long has she been going? A. For years, but I thought it was a lot of hooley, like thousands of others who did not take the trouble to investigate it.
- Q. Has she been known to the Homers for some years? A. Yes.
- Q. Have you known them for some years? A. No, I had never seen Mrs. Homer in my life until the 12th January.
- Q. What about Mr. Homer? A. I had never seen him before.
- Q. Did your wife know him? A. My wife knew them, yes.

Re-examined by MR. LOSEBY.

- Q. You paid 12s. 6d. for your ticket, did you? A. Yes.
- Q. Do you make any complaint about the fee? A. No complaint at all.
- Q. You say you were not a Spiritualist at all at the time you became interested in Lord Dowding. A. No, not at all. My wife and I used to have lots of rows about it.
- Q. You thought it was all hooley? A. A lot of rot.
- Q. And, rightly or wrongly, since you have seen Mrs. Duncan's materialisations, are you 100 per cent? A. 100 per cent, because seeing is believing—100 per cent now.

DOROTHY CONSTANCE GILL, Sworn.

Examined by MR. PEDLER.

- Q. Is your name Dorothy Constance Gill? A. Yes.
- Q. Do you live at 41 Dunchurch Road, Milton? A. Yes.
- Q. Are you the wife of the witness who has just given evidence? A. Yes.
- Q. Bring your mind to Wednesday night, the 19th January of this year. Were you taken by your husband to the temple in Copnor Road? A. Yes.
- Q. Do you remember the third materialisation? A. Yes.
- Q. When all the trouble took place? A. Yes.
- Q. Can you describe to his Lordship and the jury exactly what happened? A. From the time the third spirit materialised, Albert, the guide, and Mrs. Duncan described the spirit person who was next to materialise. The description I do not remember, but a lady asked if it was for her. She was sitting to my right and Albert said, "No, that is not the voice I want". Another lady sitting on the right but to the back of me said: was the spirit for her. Albert said, "Yes, that is the vibration, that is the voice I want". This lady called the spirit by name—the name I have forgotten—but she called the spirit from the cabinet and he came out, he materialised in three-quarter length, and it was a young boy. His hair was dark and brushed slightly back to the right. That is actually all I saw of him except that the psychoplasm came well down to three-quarter length, but there was nothing visible below, the lower part of the ectoplasm.
- Q. I want you to come to the trouble. A. The form disappeared, and I saw on the ground a small portion of the ectoplasm about the size of a man's handkerchief. Then a gentleman, who I found to be P.C. Cross, broke through over my left shoulder. He broke through and I took hold of him with both hands about his waist and I said, "It's all right, it's all right; don't worry". I believed that he had fainted or that he wanted

to get out of the seance room. As he did this I was pushed forward to the right, but I did not come off of my chair. The next thing I saw was Cross clawing down the curtains with fingers extended. He was clawing downwards. I jumped up and, as I jumped up, he was inside the cabinet. I could see that both legs were stretched, one either side of Mrs. Duncan, and I put my hands round his waist and I said, "Oh, don't do it; don't do it; please, oh, don't do it", and I next felt that we had taken a turn as if we were all standing up.

- Q. Where was Mrs. Duncan then? A. She was sitting in the chair and both of Cross's legs were one on either side of her, but I could not see, or at least I do not remember, where his hands were.
- Q. You really followed the policeman right into the cabinet? A. I followed the policeman right into the cabinet, yes.
- Q. Did you see Mrs. Duncan standing up at all? A. Mrs. Duncan was not standing up, I am quite sure.
- Q. Did you hear Mrs. Duncan say anything to the policeman? A. Mrs. Duncan did not say anything to the policeman. I stepped back, but I still had hold of Cross and we all seemed to fall. The next thing I knew was I was supporting Mrs. Duncan by my arm. She was on an upturned chair and Cross was in front of Mr. Coulcher who was next to the window seat, and he was blowing his whistle and he had a torch switched on.
- Q. Do you remember anything said about any white material? A. All the whistles were being blown and voices were shouting out, "You are all under arrest; will you keep your seats? You are all under arrest". Those statements were being said over and over again. The lights were switched on and I looked over my shoulder. Chief Inspector Ford was in the room. He had a trilby hat on and a raincoat, and as he came into the room he accused Christine Homer of having the sheet. I cannot say that he used the word "sheet", but he accused her of having something white, and Cross made a grab for Mr. Coulcher's hands.
- Q. Mr. Coulcher was sitting in the corner seat in front of Miss Homer. A. Miss Homer was in the window seat and Mr. Coulcher was sitting down just below her. I think that Inspector Ford saw Mrs. Alabaster's bandaged hand; her hand was heavily bandaged. I don't think she had fractured her finger, but I believe she had dislocated it in a fall, and it was heavily bandaged by a doctor.
- Q. We are calling Mrs. Alabaster, so she will speak to that. A. In the meantime Mrs. Duncan was calling for a doctor. She was saying that she felt very ill, she felt dreadfully ill.
- Q. What do you think she looked like? A. She looked dreadfully ill; her heart was beating much too frequently and you could hear her pulse beating in her throat. I don't know much about the medical profession.
- Q. Did you see her face? A. Her face was very purple and she was very distressed. She was very upset. She asked repeatedly for a doctor and Inspector Ford said, "You will have a doctor, you will have a doctor", but he did not make any attempt to get a doctor, and he did not send for a doctor.
- Q. Did you notice Mrs. Duncan's lips? A. No, I don't remember her lips at all. I noticed her cheeks were dreadful.

Cross-examined by MR. MAUDE.

- Q. Very much as she looks now? A. No, I think she is a lot more red in her face now than she was at that time.
- Q. What was the lighting in the place? Was the light switched on? A. The white light was switched on after Mrs. Duncan had fallen on the chair or had been pushed on the chair.

- Q. What does Albert look like? A. I only saw him materialise the once and his head came through about three inches below the rail on which the curtain hangs across the corner of the room. The ectoplasm that covered him came three-quarter length down to, I should imagine, about the waistline. It came to a point. There was not a full length of any spirit person I saw that night.
- Q. Rather like a piece of material would come to a point? A. Nothing at all.
- Q. It must be something like? A. It seemed absolutely not as it was folded in a draping line.
- Q. But to a point like a piece of material? A. Yes.
- Q. What did he look like? A. I couldn't see his features. I was off the corner of the cabinet.
- Q. How far away were you? A. I was sitting fifth from the corner.
- Q. Were you as far away as you would be from the Clerk of the Court? A. Yes.
- Q. Were you as near as that? A. A little bit further. The seating was not exactly a circle but in a curve.
- Q. Have you been a Spiritualist for some years? A. I have been in most churches and I am a Rosicrucian.
- Q. You have been a Spiritualist for some years, have you not? A. I have known about Spiritualism for at least fifteen years, but in the meantime I have been in the Roman Catholic Church and I was baptised in the Roman Catholic Church, and I came out of it when I was married.
- Q. How long ago was that? A. 1931.
- Q. Have you been a Spiritualist since 1931? A. No, I came back into the Spiritualist church, into Mrs. Homer's church, in the spring of 1941.
- Q. Have you been going there ever since? A. No, sir, I left there in about June, 1941, and I attended another Spiritualist church at North End, another part of the town.
- Q. When did you go back? A. I went back and started to pay fees for Mrs. Duncan's materialisation seances, as I had never been to a materialisation seance before; and I went on the first Saturday in September.
- Q. Is your husband a Spiritualist? A. He believes in it now, but he did not believe in it until he saw Mrs. Duncan. He was very much against it, as a matter of fact.
- Q. How many times did he go? A. He went to see Mrs. Duncan twice.
- Q. Did he believe in it after the first time or the second? A. I would say he believed in it on the Sunday when he heard Albert give an address through Mrs. Duncan.
- Q. When there is a three-quarter length materialisation, do any legs or shoes appear? A. No.
- Q. Have you ever seen a ghost's shoes? A. No, sir, I took particular notice of it.
- MR. LOSEBY: She does not know what you mean.
- MR. MAUDE: I beg your pardon, Mr. Loseby corrects me. At any of these seances did you see what is supposed to be a materialised spirit's feet or legs? A. No, sir, and I would have noticed had it been Mrs. Duncan, because she was not wearing stockings and I believe that I could have seen her ankles.
- Q. Had she got any shoes on? A. I do not remember anything about Mrs. Duncan's shoes, except when I dressed her.
- Q. I am suggesting you are quite honestly mistaken as to what happened on account of the lighting. Why did you say, "Don't do it, don't do it"? A. I understand sufficient about Spiritualism to know that if a medium is grasped whilst she is in trance it would give her a great shock, and if ectoplasm or psychoplasm is tampered with it must return to the body,

and it is likely that considerable burns would have been caused had it been caught hold of.

- Q. It seems in this case as if it did not return to the body but went off towards the window. A. It did not go off towards the window. I am quite positive about that.
- Q. As I understand it, at both the seances the ectoplasm went down to the floor. A. It goes down to the floor.
- Q. Has anybody been down to the floor beneath to see where it goes to? A. No.
- Q. It disappears through the floor. A. I don't think it could.

Re-examined by MR. LOSEBY.

- Q. Are you quite certain that the ectoplasm did not go towards the window, as Mr. Maude suggests? A. I am quite certain it did not go towards the window. I don't like being fooled by anyone but, if I thought a medium was there to fool me, I would be the first to denounce her, because I despise anything that would be a fraud, particularly in a church.
- Q. Was it possible for it to have got to the window without you seeing it? A. No, sir, because the last I saw of the ectoplasm it was on the floor and it was no larger than a man's handkerchief.
- THE RECORDER: If the ectoplasm was going down through the floor, how would it get back to Mrs. Duncan's body? A. The ectoplasm did not go down through the floor.
- Q. I thought you said the last time you saw it it was on the floor. A. The last piece of ectoplasm I saw was on the floor, but I understand that on disintegration the ectoplasm, according to psychic law, would go back to the medium's body. I believe you are bringing into play the cause and effect of the disintegration of the atom.
- Q. Disintegration of the atom? If the ectoplasm wants to go back, why should it go on to the floor first? That is what I do not follow. Can you understand that? A. No, I am afraid I can't. It is entirely to do with the guides.
- Q. Now about this business of burning. The ectoplasm goes back violently if interfered with. Who has told you that? A. I have read of a case of burning, but I am afraid I do not remember the medium's name, but in the second week of November I attended a lantern lecture given by a Mr. Lilley, who I believe works in the Finger Print Department of the Portsmouth Police, and he showed by slides——
- Q. Did you get it from him? A. No, he showed us the way——
- Q. I am asking you who told you about the ectoplasm burning this medium on its way home? A. I am afraid I cannot tell you.
- Q. Had you had any conversation with Mrs. Homer about this? A. No.
- Q. Or Mrs. Brown? A. No.
- Q. Had you heard about it from someone else, or had you read it? A. I had read it.

FOURTH DAY.—TUESDAY, 28TH MARCH, 1944.

MR. PEDLER: My Lord the missing documents of yesterday have been recovered and I would like to hand them in.

THE RECORDER: Yes.

MR. PEDLER: No. 12 is *The Two Worlds*, eight guineas, and the Wireless for the Blind Fund.

THE RECORDER: There appear to be two receipts from the Wireless for the Blind

Fund, one for £15 on the 25th of January and one for £8 12s. 6d. on the 11th of February. That is £23 odd. There is an acknowledgment from the Two Worlds Publishing Company, Manchester—I do not know what the Fund is—and there is £5 S.N.U. Freedom Fund. What does S.N.U. mean?

MR. PEDLER: Spiritualists' National Union.

THE RECORDER: £5 on the 3rd of February.

MR. PEDLER: Yes.

ROSE COLE, *Sworn.*

Examined by MR. PEDLER.

- Q. Mrs. Cole, did you attend a seance at 301 Copnor Road on the 14th of January in the afternoon? A. Yes.
- Q. Where were you sitting? A. In the window seat.
- Q. Were you first, second or third in the window seat? A. First.
- Q. Were you sitting all the time? A. I stood on the occasion when the friend of mine appeared. I stood up then to get a better view.
- Q. Who was sitting beside you when you stood up? A. Mrs. Taylor.
- Q. Who was in the seat in front of you? A. I think it was Mrs. Barnes, but I am not sure.
- Q. I mean the front chair. A. Mrs. Barnes, I think.
- Q. After the Lord's Prayer did you hear a voice from the cabinet? A. Yes.
- Q. What did you see after that? A. There were several spirit forms appeared. The one I was most interested in was what appeared for myself.
- Q. Did anyone appear for Mrs. Barnes in front of you? A. Yes, a little girl.
- Q. How far did she come out from the cabinet? A. I should think she came out about a foot or two. I am a very poor judge of feet.
- Q. How near to Mrs. Barnes? A. She was right close to Mrs. Barnes.
- Q. Did she touch Mrs. Barnes? A. Yes, she got hold of Mrs. Barnes's hand and she said, "Grandma".
- Q. What did the child say? A. She said, "This little piggy went to market." I think she said something about that and about her granddad and then she said, "This little piggy went to market; this little piggy stayed at home."
- Q. What was the voice like? A. A little child's voice.
- Q. What size was it? A. A very small child.
- Q. It appeared to you standing in the window seat that it was a very small child indeed, did it? A. Oh yes, definitely; she was only a very young child to my idea.
- Q. Then there was someone for yourself, was there not? A. Yes.
- Q. Who came forward? A. My friend Mrs. Allen. What I hoped—
- Q. Tell the jury your own story of what happened. How near did she come to you and did you hear a voice and did you see her features? A. I definitely saw her features and she was definitely my friend and if I lived to one hundred I should repeat the same, and I shall never forget it. She held her head sideways just as she did in life and it was my friend definitely. She came to me and I was rather surprised at her coming back so quick because she had only just passed over.
- Q. When did Mrs. Allen die? A. Just before Christmas; she was buried on the Wednesday before Christmas.
- Q. How did you know that she was Mrs. Allen? A. Well, a person knows her own friends, and I know Mrs. Allen and I should always know her if she appeared to me again. I could not mistake her in any way.
- Q. What did she say to you? A. Of course I was overcome on seeing her first and I asked her how she was. I cannot explain the feeling I had, but I did get the words out. She said, "Give my love to all the family," and she said, "Thank them for the orchids." That was the orchids that her son had put in a wreath at her burial, and I never knew that until

after the seance. I found out then that she had some orchids from somebody else put in the coffin, but I only found that out this morning. I immediately went to her daughter after I left the seance and I explained to the daughter the mother appearing and I told her about the orchids. I said, "I don't know anything about the orchids," and she told me then that her brother had the orchids put in a wreath and it cost him £5. He walked all over Portsmouth because he wanted the orchids put in the wreath.

Q. How near was Mrs. Allen to you? A. She was almost on top of me and I had to stand back, because the smell was so awful. It was just like death and it made me feel terrible. I had to stand back because I could not stand the smell. I was told it was ectoplasm smell.

Q. Did you say something to her which caused her to appear again? A. Yes, I said, "Would you not like to speak to Mrs. Homer?"

Q. What happened to the figure then? A. It vanished; it seemed to me to disappear.

Q. How did it disappear? A. She just disappeared; that is all I can explain about it. She never walked. It seemed to me that she just went like that, and the next moment she was round the other side of the curtain talking to Mrs. Homer.

THE RECORDER: Was there any white about this form? A. Each spirit form that appeared—

Q. No, this one—Never mind the others. A. Just a little thing across the head and her head was outside this.

Q. Something white round her head. I am asking you about Mrs. Allen. A. Yes, she did.

Q. You say she disappeared from you and then reappeared talking to Mrs. Homer? A. The other side of the curtain.

Q. The other side of the curtain? A. Yes, sir; you see I was on the window-sill and she appeared on this side of the curtain to me.

Q. Do you mean the curtain of the cabinet? A. Yes, and when I asked her if she would like to speak to Mrs. Homer she vanished. It seemed to me she was gone right through, but whether she went right through or not or up into the air I do not know, but she was gone; she sort of vanished.

Q. I thought you said you asked Mrs. Allen if she would like to speak to Mrs. Homer? A. Yes.

Q. And then she vanished? A. Yes.

Q. And then she appeared by Mrs. Homer? A. Yes.

Q. Did she know Mrs. Homer? A. Yes, Mrs. Homer gave her healing at the church.

Q. Are you a member of this community? A. Yes.

MR. PEDLER: Do you remember the naval officer there? A. Yes. I think there were two, an Air Force and two naval officers.

Q. Did you see a figure appear to the naval officer? A. Yes, an old lady.

Q. Tell the jury what you saw and heard. A. A rather sweet old lady appeared.

Q. How near did she come to Worth? A. She came right out of the cabinet and looked him right in the face and she said, "You are trying to be strange, are you?" Those are the words she used.

Q. You thought she said, "You are acting strange"? A. I thought she said, "trying to be strange." Well, I could swear that is what she said. She came right out of the cabinet.

Q. Did you hear anything else said to Mr. Worth? A. Yes; Albert the guide said, "There was a sailor" to Mr. Worth; and he said he knew no sailor.

Q. What did Albert say to that? A. Albert said there was no distinction on their side.

THE RECORDER: Did Albert ever reveal his surname or did he only have a

Christian name? *A.* That is the only name I knew him by—Albert the guide.

MR. PEDLER: Did the sailor appear? Did you see the sailor? *A.* No, I never saw any sailor.

Q. Did Albert say anything more to Mr. Worth after that? *A.* Yes, he spoke about a little child—a premature birth.

Q. What did Mr. Worth say to that? *A.* He never had a sister.

Q. What did Albert reply to that? *A.* Albert asked him if he would get in touch with his mother and Mr. Worth said he would.

Cross-examined by MR. MAUDE.

Q. I did not catch your name, madam. *A.* Mrs. Rose Cole.

Q. I must put it to you at once that what was said in connection with the sister of Mr. Worth was that they never had a premature child in the family?

A. I am sorry, if I did not catch every word, but that was what I heard.

Q. You may not have heard it? *A.* No, but I heard Mr. Worth say he never had a sister.

Q. How many sittings did you have when Mrs. Duncan was the medium? *A.* Three.

Q. Have you seen Albert? *A.* In spirit form, yes.

Q. Albert, as we have heard of him? *A.* Yes.

Q. What did he look like? *A.* He is a very tall gentleman and I should think he was dark and he had a beard.

Q. Could you see his hair? *A.* I cannot say that, but he had a beard.

Q. Could you see his hair or not? *A.* I can't remember.

Q. What else did you see? *A.* I saw him; that is all.

Q. Describe what you saw of him. *A.* A very tall gentleman.

Q. What about his face? *A.* I think it was a longish face.

Q. Can you tell us anything more about it? Had he got a moustache or beard? *A.* I said a beard.

Q. A long beard or a short beard? *A.* Not too long.

Q. About how long? *A.* I am a poor judge; I cannot say feet.

Q. No, not feet, that would be phenomenal. Was it a three inch beard or just a little hair around the face? *A.* I object to being laughed at.

THE RECORDER: Is anybody laughing at you? *A.* I will answer if the lady and gentleman will not laugh.

MR. MAUDE: Which lady and gentleman? *A.* Because this agitated me.

Q. Which lady and gentleman are laughing?

THE RECORDER: Nobody is laughing; they certainly should not be laughing, anyhow.

MR. MAUDE: All I am asking you is this. Could you really see a beard that projects from the face? *A.* Yes.

Q. Or could you simply see as you thought hair round the face, close to it? *A.* Here.

Q. Is it here—just close to the face?

THE RECORDER: Scrub? *A.* Well, I can say beard; that is all I can say.

MR. MAUDE: Was the light very bad? *A.* Well, we could all see by the red light; you can see quite plainly by the red light.

Q. One can, can one? *A.* Yes.

Q. At what sort of distance can one notice the features of anybody? Show us by this court. Would I be visible to you by the red light at this distance?

A. Yes, you could see everybody and everybody could see everybody.

Q. That was so, you have no doubt? *A.* I have no doubt at all.

Q. Do you see that gentleman sitting there at the end of the table? Would you be able to recognise him at that distance by the red light? *A.* I can see that gentleman quite plainly and he was not so far away from the cabinet as I am from that gentleman.

- Q. Try and follow what I am asking you. When the red light only was shining, how near would you have to be to any living person to be able to recognise their face? A. I cannot quite follow what you mean, sir.
- Q. Listen again. When the red light only was shining—you can imagine that, can't you? A. Yes.
- Q. Have you got that idea in your head? A. Yes.
- Q. No green light or white light, but just a red light. How close did you have to get to any of the people present before you could see their features? A. Of course we were all very near the cabinet and if you were on the windowsill of course you could see, but if you stood up you were quite near them.
- Q. When you were in the windowsill could you see the faces of people the other end of the rows of seats? A. Yes.
- Q. Quite clearly? A. Yes.
- Q. Do you really swear that? A. I could see everybody in the room.
- Q. Could you see their faces? A. I could see everybody in the room, but I do not say everyone distinctly at the other end of the chairs.
- Q. Would you be able to recognise them at the other end of the chairs by their faces? A. I think so.
- Q. Well, you were there. A. Yes.
- Q. So far as Mrs. Allen was concerned, why should you think it odd that she should return so soon after her death? A. Because we were given to understand they go for a rest for a while.
- Q. Who told you that? A. I could not tell you, but since I have been interested in Spiritualism—
- Q. How long have you been interested in Spiritualism? A. Two years.
- Q. How long have you known Mrs. Homer? A. Immediately I went to the church.
- Q. For two years? A. Yes.
- Q. Do you see her regularly? A. When I go to the meetings.
- Q. Have you ever seen her socially apart from the meetings? A. Only if I have taken flowers there for my boy. I lost a son some years ago.
- Q. Did you hear Mrs. Homer ask after Mrs. Allen's health and her arm? A. Yes.
- Q. Did Mrs. Allen say the swelling of her arm had not gone down yet since she passed over? A. She said her arm was still swollen.
- Q. Did you see the arm? A. At the time when she went to Mrs. Homer I was round the other side and she put her arm up.
- Q. Then you did see the arm? A. Yes.
- Q. How much of it did you see? A. The whole of it. She brought the arm up for us to see the arm. It was very fat.
- Q. Was she a fat woman? A. No.
- Q. Were you surprised when it was a fat arm? A. Well, her arm was fat. That was because of her illness.
- THE RECORDER: It was swollen? A. Her arm was terribly swollen: she had cancer.
- MR. MAUDE: If it had been the other arm would you have expected to see a thin arm? A. Yes.
- Q. Mrs. Duncan of course is a person of ample proportions, is she not, and probably not with very thin arms? A. Yes.
- Q. It did not occur to you for one second that it could possibly be the fat arm of Mrs. Duncan you saw? A. It was not Mrs. Duncan?
- Q. Why do you say that? A. Because I definitely know my own friend.
- Q. Was it draped round with some white stuff? A. Yes.
- Q. Was there anything round about her face? A. No, it was just her face. She had no marks on her face in life and by the attitude she held her head

I know it was her. I know her voice quite plainly and I could not mistake her at any time.

- Q. And she knew Mrs. Homer quite well? A. I took Mrs. Allen to the church to have healing.
- Q. Tell me about "This little piggy went to market." How far did the verse go? "This little piggy stayed at home"? A. "This little piggy had roast beef."
- Q. Did it have roast beef? Did the verse go as far as that? A. I was not very interested in the child. I just heard, "This little piggy went to market; this little piggy stayed at home."
- Q. Do you say you were not that much interested? A. Not to hear anything.
- Q. To see a little child from the other world and to listen to it recite a nursery rhyme—had you ever seen anything like that in your life before? A. Pardon?
- Q. Had you ever seen anything like that in your life before? A. I had never seen anything like it in my life before.
- Q. Could you see the back of the child? A. No, I was facing the child; I couldn't see the back of her.
- Q. Could you see between the child and the curtains? A. No.
- Q. Did you notice anything between the child and the curtains? A. No, nothing at all.
- Q. There was no tube of white stuff or anything like that? A. No, definitely not.

Re-examined by MR. LOSEBY.

- Q. You were asked if the arm which you saw which you thought was the arm of Mrs. Allen could possibly have been the arm of Mrs. Duncan. Could the voice have been the voice of Mrs. Duncan? A. It was Mrs. Allen's voice, very sweet, and it was the voice of Mrs. Allen as she spoke in life, only a little quieter.
- Q. Could the little child which you saw possibly have been Mrs. Duncan? Answer me, please. A. No, sir.
- Q. Could the voice of the little child that you heard have been the voice of Mrs. Duncan? A. No, it was a little child's voice.
- Q. I do not suppose that you profess to have studied this question greatly, do you? A. I never thought I should hear it again, you see.
- Q. I understand you have been to three materialisation seances. A. This last time I have been three times.
- Q. What form, as far as you have observed, do people who appear usually take? Do you follow me? In regard to the time they die or, to use your phrase, pass over, do they usually appear with any particular form or at any particular time of life when they show themselves? A. I cannot answer your question.
- Q. Perhaps you have not noticed that. Under any circumstances you say that Mrs. Allen showed you herself? A. Yes.
- Q. As she was shortly before she died? A. Yes, that is with a swollen arm; she died with a swollen arm.
- Q. It is usual for them to show themselves as they were shortly before they died? Perhaps you have not noticed that. A. No, I have not noticed it. I cannot answer that.
- THE RECORDER: You say you had taken Mrs. Allen along to the church for treatment? A. Yes, healing.
- Q. Would Mrs. Homer know about Mrs. Allen's death when it took place? A. Yes.
- Q. Did you pay a fee? A. No, I went free of charge.
- Q. You went entirely free? A. I went three times free of charge.

- Q. Had you expressed any hope of seeing any particular person yourself?
A. I wanted to see my boy.
- Q. But he did not appear? A. He did the first time I went, but not on the 14th.
- Q. But he did appear, did he? A. The first time I went.
- Q. You have not told us about him? A. No, because I was told I was wanted for the 14th.
- Q. Did you express any view with regard to the hope of seeing anybody else?
A. No, I never thought of anybody else.
- Q. You did not tell Mrs. Homer that you would like to see Mrs. Allen again?
A. I never thought she would appear again. It never appealed to me to tell Mrs. Homer.
- Q. Did Albert ever come outside the cabinet as far as you could see? A. I have never seen him right outside the cabinet, but I have seen him in between the curtains; the curtains have been drawn back.
- Q. Would you be quite near him? A. Yes, on the first day I sat in a front seat next to Mr. Homer. I could have put my hand out and touched my own son.
- Q. Did you notice any of this odour in connection with Albert? A. I smelt a smell several times.
- Q. When Mrs. Allen was not there? A. When the other spirit forms appeared.
- Q. Was there a smell attached to Albert? A. I cannot remember that.

BERTHA ALABASTER, *Sworn.*

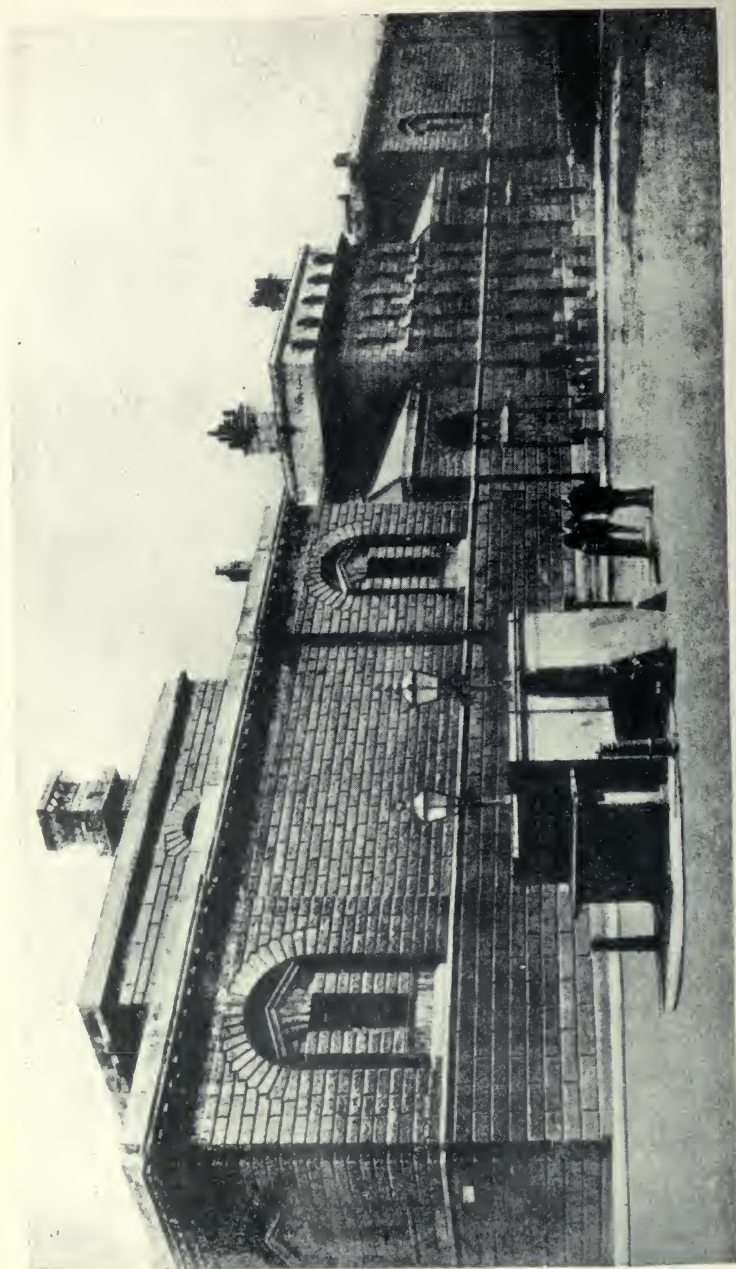
Examined by MR. LOSEBY.

- Q. Is your name Bertha Alabaster? A. Yes, sir.
- Q. Are you a married woman? A. Yes, sir.
- Q. Do you live at 20 Lawrence Road, Southsea? A. Yes, sir.
- Q. On the 19th day of January did you attend a meeting at 301 Copnor Road, Portsmouth? A. Yes.
- Q. That was a sitting by Mrs. Duncan, was it? A. Yes.
- Q. Where did you sit? A. In the front row, sir, the second from the left, next to Mrs. Gill.
- Q. Would Mrs. Cole be on your right? A. Yes.
- Q. Who was on your left? A. Mr. Gill.
- Q. We know that there was at a certain stage a commotion, was there not?
A. Yes, sir, that is right.
- Q. I want you to tell us as well as you can exactly what you saw at the time of that commotion. A. It was when the spirit form appeared, the third spirit form, that the commotion took place. I suddenly heard a shuffle and a figure leaped from a seat somewhat behind me to the right. I heard a chair overturn. I saw Mr. Homer on the floor and the person in question leaped out. A torch was flashed on and then the inspector—I did not know at the time it was an inspector, but I have since learned his name—jumped forward and grabbed something—it was really a spiritual form as we know it—the ectoplasm which had come from Mrs. Duncan—and called out, "Have you got it?" or "I have got her," meaning that he had grabbed the supposed form, which I took it he thought was Mrs. Duncan.
- Q. What became of the curtains? A. I had heard the curtains pulled. I cannot say by whom. The curtains are on rings and I had heard the sound that rings make as they are pulled along the bar.
- Q. Could you see inside the curtains from where you were? A. Yes. I saw Mrs. Duncan lounging—you cannot call it sitting, because she was back with her arms limply by her side in the chair as the figure was in front—
- Q. Was that almost immediately after the curtains were opened? A. Yes, sir.



(From an old print)

THE OLD BAILEY IN THE GORDON RIOTS, 1780



THE OLD BAILEY, 1889

- Q. Where was the figure that had gone through the curtains? A. It was slowly receding.
- Q. No, no. A. You mean the spirit form?
- Q. I mean the policeman. A. Still in the front as in the act of—
- Q. Where was he in relation to Mrs. Duncan? A. Quite a good bit away. Mrs. Duncan was in the corner there.
- Q. Lounging? A. Yes, and the man who made the arrest was in front. I am a bad judge of distance, but I should say he was quite a good pace away from Mrs. Duncan.
- Q. From there did he move?
- THE RECORDER: What happened then? A. The lights went on with the torch and as I can remember it, as I see it now—just a moment—I will picture the scene. There was the shuffle. Mrs. Duncan's chair was grabbed by the inspector who had made the arrest and pulled away from the wall so that it was on the slant, you see, and the next thing I looked for or was perfectly conscious of seeing was Mrs. Duncan on an upturned chair. She had been pulled out of the armchair and was sitting on an upturned chair, but I noticed that the right shoe of Mrs. Duncan in the scuffle had come off and her left shoe was on. She sits as a rule when she is in trance with her feet crossed, the right foot over the left and as the shoes she wears are court shoes and very old; they easily slip off and as the chair was pulled round they would easily slip off. The left shoe was on and the right shoe was off. You see the feet are like that when she is in the chair. In a flash so many things happened, but those just registered themselves on my mind. I saw her sitting on an upturned chair away from the armchair and she was calling for a doctor.
- MR. LOSEBY: What was her condition as far as you could see? A. Very distressed at the time, because she was feeling ill, but not distressed in a frightened way. Do not mistake me, please. She had had a shock.
- Q. Tell us what you saw. A. She was feeling distressed and a little sick.
- THE RECORDER: You cannot tell us how she was feeling. You say she looked distressed. We quite understand what that means. A. Yes, because she had had a shock and she was asking for a doctor.
- MR. LOSEBY: Did you hear her say anything at all apart from her distress? A. No, sir, I heard her call and she said, "Get me a doctor. I am a dying woman." Those were the only words Mrs. Duncan said at the time of her arrest as far as I can recollect at the moment.
- THE RECORDER: Did you see her have a cigarette then? A. No, sir.
- MR. LOSEBY: It has been suggested that there was a sheet in the cabinet. Did you see any sheet in the cabinet? A. No, sir, I think—
- Q. Do not tell us what you think.
- THE RECORDER: Did you see anything white? A. No, sir, except the bandage on my finger.
- MR. LOSEBY: The bandage on your finger could not be a sheet? A. No.
- Q. It has been suggested that there was something in the nature of a large sheet. A. No, sir.
- Q. Were you so sitting that you had a clear view? A. Yes, sir, right opposite the curtains.
- Q. Suppose there had been a sheet—just imagine it for a moment. A. Yes.
- Q. And that sheet had gone to Miss Homer. Was that possible from your position? A. No, sir, it would have had to pass me and there was nothing at all passed before me the whole time. I swear that.
- Q. Are you quite certain of that, or are you just merely expressing an opinion? A. No, sir, I am positively certain on that point.
- Q. And you mean it could not have got by you without your seeing it? A. I should have seen it and I could have touched it because I was not too far from the thing.

Q. Do not be offended by my question. A. No, sir.

THE RECORDER: You have not heard the question yet.

MR. LOSEBY: Are you quite sure that you did not conceal a sheet? A. No, sir.

MR. MAUDE: It is a little ambiguous, is it not? "Are you quite sure you did not conceal a sheet?" and she said "No."

MR. LOSEBY: Yes, it is a little ambiguous. You have not answered me.

THE RECORDER: Did you have anything to do with concealing a cloth or a sheet or a white substance? A. No, sir.

Cross-examined by MR. MAUDE.

Q. I don't want to keep you long. You have recently had a bereavement, have you not? A. Yes.

Q. How long have you been a Spiritualist? A. Nearly three years.

Q. Have you been going during the whole of that time to the Master Temple? A. No.

Q. When did you start going there? A. About eighteen months ago.

Q. Have you met the Homers socially as well as in Spiritualist circles? A. No, sir.

Q. Never? A. No, sir.

Q. Never had tea with Mrs. Homer? A. Yes, I have had tea on the premises.

Q. How many times? A. A good many times; I cannot recall how many.

Q. Did you understand what I meant by seeing them socially? A. If it is an invitation to tea, no, sir.

Q. Did you stay on after the service? A. Yes.

Q. Who would be at those tea parties? A. The people who found it difficult to return to the evening service after the afternoon.

Q. How many times did you see Mrs. Duncan in trance? A. Do you mean at this particular seance?

Q. Yes, at this house? A. Two.

Q. Twice? A. Yes, on the 19th.

Q. Had you seen her before? A. Yes.

Q. When was that? A. Just before Christmas; I believe it was her last week.

Q. Was that in Portsmouth? A. Yes, at Copnor Road.

Q. Did you meet her then? A. Yes.

Q. When did you find out that the court shoes were so large that they might easily come off? A. Because they had been passed round for—what do you call it—exhibition? I do not know the appropriate word for it.

THE RECORDER: Examination. A. Thank you, sir, for examination.

MR. MAUDE: Suppose my shoe were passed to you now for examination—you could not tell whether it fitted closely or not. A. Yes, sir, I was sitting in the front row when Mrs. Duncan came in for the seance and naturally, being a woman, one takes stock of what another woman wears. She does not have stockings on her feet; she wears a black shoe and as she walks to the cabinet you can see the loose fitting of the shoe. When she approaches the cabinet there is a bright light.

Q. Had you ever seen her shoes off before? A. Only at seances. Do not misunderstand me. I do not mean that they are always off.

Q. Had you seen them off before at seances? A. No, sir.

Q. Oh, come. A. Look, you are getting me a bit twisted up.

Q. I don't want to do that. You were trying to tell me— A. That her shoes were loose fitting.

Q. No. On that very day were they off before the seance? A. No, but I was under the impression when I said it—

Q. Had you ever seen them off before that evening? A. No.

Q. When she stands up in the costume in which she is going to sit, can you see her feet quite plainly? A. Yes.

- Q. When she sits down, can you still see her feet? A. Yes, when she is sitting down.
- Q. After she had been sitting down a second or two does she cover up her feet with her dress? A. No, it is just ordinary; one can see her sitting down and the curtains are pulled.
- Q. Before the curtains are pulled can you see her feet? A. Yes.
- Q. When the curtains are pulled open you have only the red light? A. Yes.
- Q. The curtains are pulled and out go the white and green lights? A. I have never noticed the green light. I know there is one, but that is a little at the back.
- Q. Have you noticed the white light? A. Yes.
- Q. When the curtains are pulled—— A. Yes.
- Q. Out goes the white light? A. Yes, and the red one comes and I can see Mrs. Duncan.
- Q. You have seen living people by that red light, have you not? A. Yes.
- Q. Is it difficult to see them? A. Not to me.
- Q. How far off do you say you can see their faces clearly? A. Do you mean the number of faces?
- Q. Yes. Could you see the Clerk's face, do you think? A. Do you mean the gentleman in the wig?
- Q. Yes. A. Yes. I have sat in the second row at seances and I could still see the faces.
- Q. Quite clearly? A. Yes.
- Q. Can you see the faces of persons across the room? A. Yes, ordinary people.
- Q. Could you see me by the red light? A. Yes.
- Q. And recognise me? A. Yes.
- Q. Do you really swear that? A. Honestly, sir. The light was not absolutely dark, you got used to it and you can see people the other side of the room.
- Q. It has been said by Mr. Loseby, counsel for these accused persons, that it is best to get within a foot to see for certain? A. Yes, sir.
- Q. Would you agree with that? A. What distance?
- Q. A foot. A. Yes, but you can see a little further than that.
- Q. How much further? A. Quite three to four foot.
- Q. That is different than from you to me, is it not? A. Yes, but you would not see distinctly.
- Q. Have you ever noticed any nasty smell at these meetings? A. Yes.
- Q. What does it smell like? Vomit? A. No, sir, the last time it smelt more like death to me.
- Q. That is a very disagreeable smell, is it not? A. Yes.
- Q. What was the last time? A. The occasion when Mrs. Duncan was arrested.
- Q. When did you smell it then? A. Right at the beginning, before the seance took place.
- Q. Before she had started to sit at all? A. Yes, I found a smell.
- Q. Where did you find a smell before the thing had started? A. It seemed to come from the cabinet.
- Q. Before she had gone into trance? A. Before she had gone into it because I remarked about it to my daughter when I got home.
- Q. Did not that make you feel a little suspicious? A. No, sir.
- Q. Manifestations are not supposed to take place until the medium is in trance. A. I know that, sir.

Re-examined by MR. LOSEBY.

- Q. In regard to this smell I do not suppose you have read anything on the subject, have you? A. Yes, sir.

Q. Have you? A. Yes, sir.

Q. Then I may ask you a little bit more about the smell. Have you noticed the smell on almost every occasion? How would you describe the smell?

A. Well, only a death-like smell, not very strong.

THE RECORDER: Were you a paying visitor? Did you pay an entrance fee? A. Yes.

Q. How much did you pay? A. 12s. 6d.

Q. On each of these occasions? A. On this last visit, yes, but I have had free seats from Mrs. Homer.

Q. Is your husband alive now? A. Yes.

Q. What is his occupation? A. Aircraft welder.

Q. Do you live in the neighbourhood of Portsmouth? A. Lawrence Road, Southsea.

Q. Would you describe yourself as a member of this community or congregation? A. I am a Spiritualist, sir. I do not understand what you mean by member. I am a member of the N.S.U.

Q. Is this affiliated to the N.S.U.? A. Yes, I believe it is, sir.

THE RECORDER: Thank you.

WILLIAM JOYCE COULCHER, *Sworn.*

Examined by MR. PEDLER.

Q. Is your name William Joyce Coulcher? A. Yes.

Q. Are you a shopkeeper at 253 Lake Road, Portsmouth? A. Correct.

Q. Do you remember attending a seance on the 19th of January? A. Yes.

Q. Where were you sitting? A. On the left-hand side of the cabinet in the front row.

Q. Were you the end seat on the left? A. Yes.

Q. Between the cabinet and window seat? A. Correct.

Q. Who was on your right? A. Mrs. Alabaster.

Q. The last witness? A. Yes.

Q. Did you see who was sitting in the window seat? A. On my left was Mrs. Homer; who else I could not say.

Q. When the last materialisation took place—there were two or three, were there not? A. Yes.

Q. What happened? A sort of scuffle on your right happened, did not it? A. Yes; on my right at the rear there was a scuffling going on. Naturally I thought it was someone who had lost control of themselves who wanted to get out of the room and they pushed through and made a dive for the curtains hanging on the cabinet.

Q. What did you see yourself? A. A man clawing at the curtains like this.

Q. What light was on then? A. A small red light.

Q. What happened after that? A. He seemed to pull the curtains to one side, but actually what happened then I do not remember. Somebody in the audience in the second row flashed a torch on and almost at the same time the lights went out. I turned and saw Mrs. Duncan on an upturned chair.

Q. Sprawling on an upturned chair? A. Yes, either sitting or sprawling—I should say sprawling.

THE RECORDER: In or outside the cabinet? A. Outside the cabinet.

MR. PEDLER: How long did that take? A. A very few seconds.

Q. From the moment somebody dashed forward to the moment you saw Mrs. Duncan on the upturned chair? A. Yes.

Q. Did you see anything in the cabinet during that period? A. No, sir.

Q. Did not something happen with regard to an accusation being made? You were in the corner. A. Yes, there was an accusation made.

Q. What was said? A. That a white cloth had been passed.

- Q. Who said that? A. Mr. Cross.
- Q. The policeman? A. Yes.
- Q. Where was he standing when he said that? A. Almost directly in front of me.
- Q. Whom was he looking towards? A. He was looking at Mr. Ford.
- Q. Mr. Ford, the policeman who was in the doorway? A. Yes, Mr. Ford came into the room almost as the lights came up.
- Q. What was said by the policeman to Mr. Ford? A. That a white cloth had been passed.
- Q. Did he say where? A. Around the corner; that would have been the corner facing me.
- Q. Were you sitting in the corner? A. Yes.
- Q. What did you say to that? A. He did not accuse me.
- Q. What happened after that? A. There was a conversation between Mr. Cross and Mr. Ford. Then Mr. Ford came and stood in front of me and Mr. Ford said that this was a police raid and everybody would please keep quiet, they were all under arrest and they would be searched; but they were not searched, although it was demanded.
- Q. Searched for what? A. I suppose the cloth, sir.
- Q. Was anything said by anybody in the audience about the cloth? A. Miss Homer demanded to be searched; in fact everybody demanded to be searched.
- THE RECORDER: Did you? A. No.
- Q. You had not got the cloth? A. No.
- MR. PEDLER: You were in the position where it disappeared, were you not? A. Yes.
- Q. Did you see it disappear? A. No.
- Q. Could a sheet or a white cloth of any kind pass you without your seeing it? A. No, sir, I am absolutely sure.

Cross-examined by Mr. ELAM.

- Q. Would you agree with Mrs. Alabaster's answer, "In a flash so many things happened"? A. Yes, I think so.
- Q. Are you a Spiritualist? A. Well, I am an investigator, sir.
- Q. Are you a believer in Spiritualism? A. Not quite.
- THE RECORDER: You are interested? A. Yes, I am interested, sir.
- MR. ELAM: How long have you been interested in Spiritualism? A. A matter of about eighteen months.
- Q. How many times had you been to the Master Temple before the 19th? A. Roughly I had been there three or four times; I could not say exactly.
- Q. Have you ever been to buy things at the shop below? A. No, sir.
- Q. Did you notice when you saw Mrs. Duncan on the chair whether she had got her shoes on? A. She had one shoe on and one shoe off.
- Q. Just before the scuffling had you seen anything white? A. No.
- Q. Was a spirit figure out just before the scuffling? A. Spirit figure, yes.
- Q. Was there anything white about that? A. Well, it was a milky—you would not call it clear white; it was a milky white.
- Q. All round it? A. All round it.
- Q. What happened to that milky white? A. It simply disappeared.
- Q. Which way? A. Downwards.
- Q. As if it went through the floor? A. Absolutely.
- Q. Was there a large amount of it on the floor just before it disappeared? A. Yes, I should call it a large amount.
- Q. Show us with your hands, will you? A. I should say it was like that. It came down into a point, you might almost say.
- Q. Did it vanish in a flash? A. Absolutely.

- Q. Did you at any time hear Mrs. Duncan say with reference to the white substance, "Of course it has gone; it had to go somewhere." A. Definitely not.
- Q. Were you there when the police came? A. Yes.
- Q. Near Mrs. Duncan? A. Yes.
- Q. Listening? A. Yes.

Re-examined by Mr. LOSEBY.

- Q. Did you hear Mrs. Duncan say anything? A. Yes, she demanded a doctor; several times she demanded a doctor.
- Q. Did you see any reason why she demanded a doctor? A. Only that she was a sick woman.
- Q. Did she look a sick woman? A. Yes, decidedly.
- Q. Did you notice her colour? A. Yes, it was a reddish blue in the cheeks with a distinct purple mark.
- Q. Had you noticed those purple marks there before the sitting? A. Yes, on the Sunday.
- Q. Before the sitting? A. Yes.
- Q. She had purple marks before the sitting? A. Yes.
- Q. Did you notice anything on her face after the sitting that you had not noticed there before the sitting? A. No, sir.
- Q. You did not? A. No, sir.
- Q. You did not notice any change in her appearance? A. No.
- Q. What about her mental state? A. Her mental state was very agitated.
- Q. Did you hear her say anything except in regard to her state at the time? A. No, sir, all she said was, "Call a doctor."
- Q. My friend has been asking you about the white thing that you saw just before there was a rush. Had you seen a white thing? A. Yes.
- Q. Don't tell me unless you can remember—perhaps you can and perhaps you cannot. Was it still there or was it in process of moving when Cross went forward? A. It was in the process of moving.
- Q. You used the phrase that it seemed to go through the floor? A. Yes, sir.
- Q. When you had seen the white on previous occasions had it seemed to go through the floor, wherever in reality it went? A. Yes.
- Q. Had it given you that impression? A. Yes, simply like that.
- Q. Would it be as quick as that? A. Quicker than that, if you understand it.
- Q. Does the white seem to get smaller?

THE RECORDER: Well!

MR. LOSEBY: My Lord, I do not intend to lead him. (*To the witness*) Can you tell me, does it all seem to go through the floor or does it seem to diminish in size? A. No, it seems to collapse as it stands and it has just gone.

THE RECORDER: Does this white stuff disappear after every manifestation? A. Yes.

- Q. Did it always go in the same direction, downwards? A. It is the first seance I have seen.
- Q. On this occasion did it always disappear in the same direction, downwards? A. Just downwards.

CHRISTINE MARJORIE HOMER, *Sworn.*

Examined by Mr. PEDLER.

- Q. Miss Homer, I want you to be quite matter of fact in this Court. Your name is Christine Marjorie Homer, is it not? A. Yes.
- Q. Are you a daughter of Mrs. Homer of 301 Copnor Road? A. Yes.
- Q. Are you a nurse at the Institute for the Aged at Portsmouth? A. Yes.
- Q. Did you attend a seance on the 19th of January? A. Yes.
- Q. At 7 o'clock in the evening? A. Yes.

- Q. Where were you sitting? A. On the window seat, a yard from the cabinet.
- Q. Were you sitting in the window seat? A. Yes.
- Q. Was anybody else sitting in the window seat with you? A. Yes.
- Q. Was anybody sitting between you and the cabinet in the window seat? A. No.
- Q. You were the nearest, were you? A. Yes.
- Q. Do you remember seeing the last spirit which materialised? A. Yes.
- Q. Did you see anything happen in the audience? The audience were that way and you were really at right angles to the audience, were you not? A. Yes.
- Q. What did you see? A. When the third spirit appeared a light was shone on the cabinet; the man whom we now know to be Mr. Cross made his way to the cabinet and in doing so he pushed Mrs. Homer off her chair. A lady by the name of Mrs. Gill grabbed hold of Mr. Cross and said, "Don't do it." At that point Mr. Worth blew a whistle.
- Q. Who was Mr. Worth? A. Lieutenant Worth blew a whistle. After that Mr. Cross said, "I am a police officer. You are all under arrest. Sit where you are." Then Mr. Ford, a police matron and another detective—
- Q. You have gone too far. Deal with Mr. Cross. A. Mr. Cross then dived into the cabinet. There was a terrific commotion and then I could hear Mrs. Duncan crying.
- Q. What did you see in the cabinet when Cross got to it? A. I could not see anything.
- Q. You could not see from where you were? A. No.
- Q. That was because the cabinet was like that? A. That's right.
- THE RECORDER: What happened after Cross had dived into the cabinet? A. He just simply disappeared. Then I heard as if somebody had fallen and then I heard Mrs. Duncan crying.
- MR. PEDLER: What did she say? A. I did not hear her say anything.
- Q. What sort of cry was it? A. As if she had had a terrific shock.
- Q. Did you distinctly hear her crying?
- THE RECORDER: You said crying; was it an ordinary cry? A. No, not an ordinary cry; it was the cry of a shock?
- Q. Do you mean she just called out or was she shedding tears? A. It seemed to be more like a groan.
- MR. PEDLER: Did Mrs. Duncan say anything that you heard? A. Not at this point.
- Q. Did you hear her say anything? A. Yes, I heard her say, "Don't worry; you will suffer for this."
- Q. With regard to the white object in front of the cabinet, did you see it disappear? A. I cannot remember seeing it at all because it was all such a confusion.
- THE RECORDER: Was there a white object in front of the cabinet? A. Yes.
- Q. What happened to it? Have you any idea? A. I can't remember because it was all such a confusion, you see.
- MR. PEDLER: Did it reach you? That is what I am really trying to get. A. No.
- Q. It did not reach you? A. No, sir.
- Q. Tell us about yourself and the white object. A. Mr. Cross was standing at the cabinet, outside the cabinet, talking to Mr. Worth. He said, "Did you see it?" Worth replied, "No." Mr. Cross said, "It came round about here; somebody has got it," and he immediately pointed his finger at my face and said, "It is you," after which I stood up and said, "Remember that statement, friends." Then I turned to Cross and I said, "You have accused me wrongly and therefore I demand that you search me," and he refused to search me. I got very angry and annoyed, but I did not get hysterical and I demanded to be searched. That he refused to do. He

went to Inspector Ford. I did not hear what he said, but Mr. Ford turned and said to me, "If you are not careful, you will go down." Mrs. Homer then got up and said, "In fairness to all the sitters here I demand that everyone is searched." Mr. Ford replied, "How can I search women?" Mrs. Homer said, "There is a police matron in the next room," but the search was refused.

- Q. There was no search at all? A. No; after the room had been thoroughly examined Mrs. Homer said, "Are you satisfied?" Mr. Ford said, "I don't know about satisfied. I have got what I want."
- Q. What did he say? A. "I have got what I want."
- Q. "I have got what I want"? A. Yes.
- Q. Had he got what he wanted—that is the whole point? A. I think he was meaning Mrs. Duncan really.

Cross-examined by MR. ELAM.

- Q. Was it rather a shock to you in a darkened room when somebody suddenly jumped out from the audience? A. Yes, it was rather a shock.
- Q. Did it upset you a bit? A. Yes, because I had previously come out of a sick bed.
- Q. So you were not feeling so good? A. No.
- Q. Do you think you got a little bit agitated when the police came in? A. I do not. I was annoyed, of course, because of accusing me and refusing to search me.
- Q. Were you a little bit angry? A. Definitely angry.
- Q. You didn't like the policeman very much? A. Not for accusing me and then refusing to search me.
- Q. As you were sitting in the window seat when the third spirit figure that day was out, could you see the side of the figure? I am talking now of just before the scuffle. A. No, I cannot remember; in fact I was not feeling very well and was not taking a great interest.
- Q. From where you were sitting could you see the back of the figure? A. No, I was not taking a lot of interest.
- Q. Did you see it come out in front of the cabinet before the scuffle? A. Yes, but I have been to so many seances I was not interested.
- Q. Did the white suddenly end in a point? A. I cannot remember that.
- Q. Did you see Cross stooping down towards the white at any time? A. I cannot remember; all I know is that he made a dive for the cabinet.
- Q. How long have you been a Spiritualist? A. About six years.
- Q. You are very keen on it, are you? A. Very keen indeed.
- Q. Did you hear Cross—I am not suggesting you knew his name then—say to Lieutenant Worth—that is, the naval officer—"Have you seen the sheet?" A. No. I heard him say, "Did you see it?"
- Q. Did you hear the naval officer say, "No, it has gone"? A. I heard him say the word, "No."
- Q. Did you hear Mrs. Duncan say, "Of course it has gone"? A. I did not.
- Q. "It had to go somewhere." A. No, I cannot remember that.
- THE RECORDER: Do you live at home? A. Yes, my Lord.
- Q. With your parents. Is your mother Mrs. Homer an ardent Spiritualist? A. Yes, my Lord.
- Q. Was this particular visit of Mrs. Duncan beginning on the 12th of January talked about a good deal beforehand? A. Well, I was not at the meetings very often because I was working.
- Q. Before the meetings began? A. No, never.
- Q. Was her visit advertised in any way? A. No, I don't think so.
- Q. How did they get to know about it, those thirty or forty people who came to these seances? A. I don't know much about it because I am away from the house.

- Q. Didn't you hear it discussed in the evenings at home? A. Yes, sometimes, but I did not take a great interest in that, you see.

JANE MARY RUST, *Sworn.*

Examined by MR. LOSEBY.

- Q. Is your name Jane Mary Rust? A. Yes.
- Q. Are you a married woman? A. Yes, a widow.
- Q. Do you live at 204 Passport Road, Portsmouth? A. Yes.
- Q. Are you a retired nurse? A. A retired municipal midwife.
- Q. On the 19th January did you attend a sitting with Mrs. Duncan? A. Yes.
- Q. At Copnor Road? A. At 301 Copnor Road.
- Q. Have you sat with Mrs. Duncan on several occasions? A. Yes, sir, about six times, I think—six or seven times.
- Q. Would you know the tests and precautions ordinarily taken? A. Quite, sir.
- Q. On the 19th day of January did you assist in the preliminary arrangements? A. Yes.
- Q. With Mrs. Duncan? A. Yes.
- Q. Will you tell us what you did? A. First of all the clothes came round to be inspected.
- Q. Did you go with her? A. Yes, in company with two other ladies.
- Q. Do you remember who the other two ladies were on that occasion? A. Mrs. Lock was one and Mrs. Gill was the other lady, and myself.
- Q. Did you go with Mrs. Duncan before she put on what I call the seance clothes? A. We took the clothes in with us; the three ladies took the clothes in with them to Mrs. Duncan in an adjoining room.
- Q. What did you do? A. I undressed Mrs. Duncan entirely—there was nothing left on her whatsoever—and Mrs. Gill and Mrs. Lock dressed her with her black seance clothes.
- Q. When you undressed her, of course, that was for a purpose? A. Yes.
- Q. Did you search her? Did you look at her? A. We certainly looked at her, to see that there was really nothing.
- Q. I am talking to a nurse. Was that search adequately conducted? A. Oh, I think so.
- Q. Having undressed her, her seance clothes were put on? A. Quite, sir.
- Q. Were the seance clothes searched before they were put on? A. They were searched outside in the seance room by everyone who was present.
- Q. And then they were put on? A. They were taken in by us and put on.
- Q. What are put on for the purpose of the sitting are simple gowns, are they not? A. Quite simple.
- Q. What colour? A. This gown was all black.
- Q. Were the usual tests taken?
- THE RECORDER: We have had this several times, and there has been no cross-examination.
- MR. LOSEBY: I did not know that, my Lord. I was thinking more particularly of the 19th. Was it done as regards that date?
- THE RECORDER: I certainly thought it was. I was taking it that it was always the same.
- MR. LOSEBY: I am much obliged, my Lord.
- THE RECORDER: I only want to save the time of the jury as much as I can, and I am sure you do, too.
- MR. LOSEBY: I am much obliged, my Lord. (*To the witness*) The usual test conditions? A. Yes.
- Q. Had they always been carried out at any sitting with Mrs. Duncan, as far as you know? A. Yes.

- Q. You were present when the commotion took place, were you not? A. Yes, I was.
- Q. Tell us quite shortly what you saw and heard; tell us as quickly as you can, leaving nothing important out. A. We sat down after coming in, and Mrs. Duncan was brought in and, when the seance started, we had three spirit forms.
- Q. Tell us about the commotion. A. There was no commotion until the third spirit.
- THE RECORDER: Begin there. A. When the third spirit was in front of the curtains I saw Mr. Homer violently thrown away from his chair against the wall; he fell over on Mrs. Homer's side of the room, and he over-turned, and P.C. Cross jumped over, made a grab at the seance curtains, and fell forward, because there was nothing to hold on to there.
- Q. Was there anything in front of the curtains at that moment? A. No; the spirit had disappeared directly he went over.
- Q. Was it something you could see? A. The spirit, yes, my Lord.
- Q. What did it look like? A. It was a figure robed in white.
- Q. A man or a woman? A. It was a man.
- Q. Which way did it go? A. It just disappeared through the floor, my Lord.
- MR. LOSEBY: Where was Mrs. Duncan when you first saw her? A. She was away from the corner. The chair had been dragged from the corner, and it was more in the middle of the cabinet facing the audience, and she was in a very distressed condition. I could not see much before that, because Mr. Cross was in front and obstructed my view at that moment.
- Q. What did her condition when you observed her seem to be? A. When I saw her I could see she was in a very distressed condition, and frightfully blue, almost purple, and she was calling out for a doctor, so I went to her immediately, and I tried to—
- Q. You noticed that she was blue, did you? A. Very blue.
- Q. Did you notice whether she was blue before the sitting? A. Well, she was a little before, but not to that extent. She usually is a little, since her illness.
- Q. What did she say? A. She just asked for a doctor, said that she was very ill, and I could see she was very ill. I then saw that she had one shoe off and so I picked it up and put it on her foot.
- THE RECORDER: Was she inside the cabinet or outside at the time? A. Sitting just inside the cabinet.
- Q. On the chair? A. On the chair, away from the corner; the usual place.
- MR. LOSEBY: And you yourself put the shoe on? A. I put the shoe on her.
- Q. I don't suppose you saw the shoe in the process of coming off? A. No, I did not.
- Q. We have been told that the shoes were court shoes. A. Quite so; they were court shoes.
- Q. Were they the ordinary and normal seance shoes? A. Quite normal shoes.
- Q. You have dressed her on previous occasions, have you not? A. Yes, we are the normal ones.
- Q. Were they on the large or small side, or did you notice anything about the fit of them? A. I think they fitted quite well; they were not too large or too small. I was able to get it on quite comfortably.
- Q. On that occasion did you get any identifications or materialisations professedly personal to yourself? A. No, not on that night.
- Q. Had you done on previous occasions? A. Yes.
- Q. On many previous occasions? A. Yes, several.
- Q. You had one particularly interesting one, had you not? A. I had, sir.
- Q. Can you tell us the approximate date of that? A. That was on the 17th.
- Q. On the 17th January? A. Monday, 17th January.

Q. Were you sitting with Mrs. Duncan? A. I was sitting on the next chair but one to Mr. Duncan in the front row.

THE RECORDER: Mr. Duncan? A. Mr. Duncan sits in the centre of the semi-circle.

Q. Mr. Duncan? A. Mr. Duncan was sitting in the front row. I was sitting next but one to him.

Q. Who is Mr. Duncan? A. I beg your pardon, my Lord—Mr. Homer, I mean. I am getting muddled.

MR. LOSEBY: You are not suggesting any kind of liaison, I hope? A. No, not at all.

THE RECORDER: You were sitting next to Mr. Homer? A. Next but one to Mr. Homer.

MR. LOSEBY: Tell my Lord and the members of the jury what happened. A. That was on the 17th.

Q. Yes, I am talking about the 17th. A. On the 17th the spirit guide announced that there was a gentleman there, and he thought it was for me—an elderly gentleman—and he gave the description. I said, “Is it you, Daddy?” meaning my husband, and he said, “Yes”. I invited him out and said, “Come out, dear”, and he came out.

Q. How far out of the cabinet did he come? A. He came on the outside of the curtain. I immediately got up from my seat and went right up to him. I said, “Kiss me, dear”.

Q. Did you recognise anybody? A. Of course I recognised him.

Q. Do not say, “Of course”. I want you to tell us. A. I did, sir.

Q. Who was it? A. My husband.

Q. Had you any doubt about it being your husband? A. No doubt whatsoever.

Q. How close up to him were you? A. As close as I am to this.

Q. Did he speak to you? A. He spoke to me.

Q. Did you recognise his voice? A. I did.

Q. Were you certain of his voice? A. I was perfectly certain.

Q. Did he say anything to you in particular that struck you as of importance? A. Just spoke about the family. He said that he was always with me, and he would be on the other side waiting for me; he would never leave me until I joined him.

Q. The only thing that matters for the purposes of this case is: Are you absolutely certain that it was your husband? A. I have never been more certain of anything in my life before.

THE RECORDER: For how long has he been dead? A. Five years, my Lord.

Q. Had he altered in appearance at all? A. No, sir, he had not altered—just a wee bit thinner, perhaps, than he was in health, but my husband was very ill for three years before he went.

MR. LOSEBY: When your husband showed himself to you, was he as he was—I do not know the answer to this—before, or shortly before, he died? A. No, he was the same as he was probably a year or two before he died.

Q. Were you allowed to touch him? A. I asked him to kiss me.

Q. Did he kiss you? A. He said, “Put your hand in mine, dear”, so I gave him my right hand. He took hold of it with his right and clasped my hand very tightly.

THE RECORDER: It was flesh and blood, was it? A. It was very cold, my Lord, but it was his hand.

Q. You could hold it, could you? A. I held it firmly. I felt the knuckles. He suffered with rheumatism, my Lord, and I felt the nobbly knuckles.

MR. LOSEBY: We must face up to things, Nurse Rust. Are you quite sure that it was not Mrs. Duncan? A. Oh, perfectly certain, perfectly sure. My husband is not quite so big; he is not such a stout man.

Q. You said you asked your husband to kiss you. A. I did, sir.

Q. Did he kiss you? A. He did, sir, right on the mouth.

Q. There was another experience you had, was there not? Did anybody else come through to you? A. I said to him, "Have you seen mother lately?" and he said, "Yes, my dear; she is just behind me".

THE RECORDER: Just behind you or him? A. Just behind him, my Lord; so I went and sat down in my seat again, thinking it would be some time before she came along, and then Albert or the guide——

MR. LOSEBY: Tell us if anything happened. A. The guide said there was a lady for me, and I called out, "Is it you, mother?" and she said, "Yes". I said, "Come along, dear; do let me see you", and so she came out of the cabinet.

Q. How far did she come out? A. To the same place where my husband stood outside the cabinet, and not in the centre of the cabinet, through the doorway; she came out and stood on the side of the cabinet. I wanted to be close to her, because I had never been so close before; I wanted to get right in contact. You must understand that I was a seeker; I wanted truth, and nothing else. I said, "Mother, you are not going back without kissing me, are you, this time?". She said, "Come here, my child"; she beckoned me to her side. She made me stand, and I was standing facing her. She turned me to the sitters and patted my shoulder and said, "My loving daughter"—introduced me, sort of thing.

Q. Did you touch her? A. I did. I kissed her.

Q. Did you touch her hand? A. No, I kissed her.

Q. Did your mother kiss you? A. My mother kissed me. She touched me by turning me round and patting my shoulder.

THE RECORDER: Then did you kiss her? A. I kissed her.

MR. LOSEBY: Did she put her arms on you, or did you put your arms on her? A. She put her arm on my—around my shoulders.

Q. Could you feel it? A. I could, my Lord.

MR. LOSEBY: What sized woman was your mother? A. My mother, much about my size, just a little thinner, but my height.

Q. Tell me a little about her voice. What was her voice like? A. It was her natural voice.

Q. You mean it was your mother's voice? A. Absolutely.

Q. Had you any doubt of any kind about it? A. Not after that seance, because there was something that had never been described to me at any meeting before, and I was never able to quite see that little something before, and that was my purpose in getting quite close to her.

Q. What was it? A. My mother had a mole in the hollow of her chin and another over the left eyebrow, and without that it would not be my mother, and she had it there, and I was satisfied.

Q. You saw it? A. I saw it.

Q. On that occasion? A. I saw it absolutely.

Q. Are you absolutely certain that you have not made a mistake, and that it was Mrs. Duncan? A. Absolutely, sir. My mother is a little woman, as I said, a little thinner than myself.

THE RECORDER: For how long has she been dead? A. Some years, my Lord.

Q. Do you remember the year she died? A. About twenty years ago.

Q. Had she altered? A. No, she had not altered very much.

MR. LOSEBY: You had a still further experience, had you not? A. Yes. I went and sat down again and, after several spirit forms came through, Albert said that there was a Spanish lady there for someone in my vicinity, so I said, "I can speak Spanish, Albert", and he said, "Will you call her out?". I called her out, mentioning one or two names, and at last I said, "Is it Aunt Mary?" and she said "Si", and I called her out.

Q. How close to you did she get? A. I got as close to her as I got to my

mother and my husband. I made up my mind that I would get close to them. I had never before got up from my seat.

- Q. Before we come to any recognition or otherwise, did this person, whoever it was, or whatever it was, speak to you? A. She spoke to me, yes.
- Q. Tell us exactly what she said, as near as you can, giving us the tone of voice that she said it in. A. In Spanish or in English?
- Q. How she spoke it in any language. A. When I said——
- Q. Please answer my question if you can. I want you to give my Lord and the jury the sounds that you heard as you heard them. If she spoke in English, give it in English; if she spoke in Spanish, give it in Spanish.

A. She said to me (*The witness spoke in Spanish*). I said——

Q. I did not ask you what you said.

THE RECORDER: Well, what did you say? A. I said (*The witness spoke in Spanish*). She said (*The witness spoke in Spanish*).

Q. Now tell us what was the substance of the conversation. A. She said she was very, very pleased to see me. She said she wanted to come before but they did not understand her, and I said "Well, it's very natural that they should not understand you".

MR. LOSEBY: You understand Spanish, I believe? A. Yes, sir.

Q. Was the Spanish that she spoke good Spanish? A. It was Gibraltarian Spanish. It was not the Spanish, possibly, that they speak in Spain itself, but the Gibraltarian Spanish.

Q. You recognise Gibraltarian Spanish, do you? A. Yes.

Q. It is a dialect of Spanish, I presume? A. Yes.

Q. Did you recognise the figure that spoke to you? A. Yes, absolutely, sir.

Q. Who was it? A. She was my aunt, my mother's sister, and I recognised her because she is a replica of my own mother; they were always taken for twins, but they were not twins.

Q. I understood you to say that your mother had marks on her face. A. Yes, but my aunt had not.

Q. Did you look for them? A. No, because I knew she had not any.

Q. When this figure appeared, did you look at her face? A. Yes, I looked at her face, of course.

THE RECORDER: That is how you recognised her, I suppose? A. Yes, to satisfy myself that she was my aunt.

MR. LOSEBY: Had this figure, when you looked at it, got any marks on its face—your aunt? A. No. My mother and she were very much alike, but, of course, they did not have the little "trademark", we will say.

Q. And that was the difference between them in life, was it? A. That was the difference between them in life. They were much about the same stature.

Q. How did you happen to know Gibraltarian Spanish? A. Because I was born there, and I lived there for some time. My mother was that.

Q. I presume the number of people who speak Gibraltarian Spanish with fluency would be fairly few, would they not? A. I don't know. I don't quite understand that.

Cross-examined by MR. MAUDE.

Q. Mrs. Rust, what dialect word did you use just now in Spanish? A. What dialect words?

Q. What dialect word did you use? A. I have just said it. Do you wish me to repeat it?

Q. No, I want to know what dialect word you used. A. "*Mi alma*"—"My dear".

Q. Is that dialect? A. Well, it is an endearment.

Q. Is it not a term of endearment throughout Spain? A. Throughout Spain, probably, but they use it in Gibraltar as well.

- Q. What other words did you say? (*The witness answered in Spanish*).
- Q. Which of those words is dialect? Do you know what a dialect is? A. No.
- Q. Was there anything said which you would not expect an educated Spaniard to understand? A. No.
- Q. Are we right in picturing this seance as starting in this way, that Mrs. Duncan takes her seat in the cabinet, and the white light is on then? A. Yes.
- Q. Then the curtains are drawn? A. Yes.
- Q. Then there is a red light? A. Yes.
- Q. It is a very bad light, is it not? A. Rather a dull light.
- Q. Yes, a very bad light, is it not? A. No.
- Q. Could you see me across the room? A. Yes.
- Q. And recognise me? A. At that distance.
- Q. At this distance? A. No, not at your distance. I should be very much nearer.
- Q. Do not bother about whether you would be very much nearer. It is a fairly large room, is it not? A. Yes.
- Q. From one side of the room to another is about the distance we are, is it not? A. I should think it would be.
- Q. You should know. A. I did not sit in the back of the room; I sat in the front row.
- Q. Did you sit in the front row always? A. Not always, but at most seances.
- Q. Did you always sit in the middle? A. No.
- Q. When you sat at one end could you recognise the people sitting at the other end in the red light? A. Yes, I think so.
- Q. Have you any doubt about it? A. No, sir.
- Q. Are you as sure about that as you are that you saw your aunt and your mother? A. I have just said I was as near them as I am to this ledge.
- Q. Are you a retired midwife? A. Yes.
- Q. Did you ever notice any curious smell at these seances? A. Yes, sir, the ectoplasm does smell rather faint.
- Q. How do you know that? A. I got so near to them.
- Q. Rather what? A. Faint.
- Q. What sort of smell? A. Not a bad smell.
- Q. Do you know what a corpse smells like? A. It would be something like that.
- Q. Did it smell anything like vomit? A. No, nothing objectionable.
- Q. Is that the nearest thing to it you can think of? A. You have mentioned a corpse.
- Q. Was it like any known scent? A. No.
- Q. Was it sweet? A. No, I would not call it sweet, but it is not objectionable.
- Q. Did you notice it before the seance started? A. No, because I had never been so near a spirit friend before.
- Q. When you saw the spirit friend it must have been an overwhelming experience. A. It certainly was. Although I had been to so many seances before, I never had the pleasure of getting so close to them.
- Q. Were you converted to the Spiritualist belief many years ago? A. I have been seeking this truth for twenty-five years.
- Q. Did you consider at some time or other you had found it? A. No, I have always been a sceptical person.
- Q. Up till when? A. Up till when I met Mrs. Duncan.
- Q. When was that? Last September? A. No, I think it was last May.
- Q. Where did you meet her? A. At 301 Copnor Road.
- Q. Was she there in May? A. Either May or June. I do not remember the date.
- Q. Was it in the summer? A. Yes.
- Q. Was she there again in September? A. Yes.
- Q. And again in January? A. Yes.

- Q. So you were really converted in May of last year, were you? A. Well, I was perfectly sure that Spiritualism had truth in it.
- Q. What was it that made you so sure in May? You had not got near anybody then, had you? A. Yes, I had.
- Q. Whom did you get near to in May? A. My daughter-in-law.
- Q. How close did you get to her? A. She came quite close to me. I did not get up from my seat, and she came three to four feet away from the cabinet; she came up to me and spoke to me and gave me a message for my son, her husband.
- Q. What was the message? A. The message was that he was not to fret, and he had been looking at her photograph and fretting for her.
- THE RECORDER: Who was the medium? A. Mrs. Duncan.
- Q. In May? A. May or June.
- Q. At Portsmouth? A. At Portsmouth.
- Q. In the same room? A. In the same room exactly.
- MR. MAUDE: Did you think he had got some photograph in the spirit world?
- A. No, my son used to look at her photograph and have a little chat with her.
- Q. But he was dead, poor man, wasn't he? A. No, he was alive.
- Q. It was your daughter-in-law who was dead, was it? A. It was my daughter-in-law.
- Q. Since this experience in May have you ever wondered why it was necessary for Mrs. Duncan to be behind the curtains before the light was put out, and there was only the red light? A. I wondered, but, of course, I have not gone into the scientific part of it; I have always been a very busy woman, and could not spare the time to go into things, but I took it it is quite necessary.
- Q. You took it as being quite necessary? A. Yes, or else they would not do it.
- Q. Well, one does not know whether they would do it if it were not necessary, but you see how easy it is for it to be a fraud, don't you? A. Yes. I am sure there was no fraud in this. I could not see how she could perform any frauding whatsoever.
- Q. When you see the spirit form of a friend, can you see their hair? A. With some of the spirit friends they throw off their ectoplasm, or we will call it their shroud, and show their hair. There was one particular case, an Air Force boy, who threw off his, and he showed a beautiful crop of black hair, very shiny and wavy, and his face was like a red apple.
- Q. You have noticed that Mrs. Duncan has rather a florid complexion, have you not? A. Yes, but it was not Mrs. Duncan. This boy was only about eighteen or nineteen, and he uncovered himself and showed his Air Force blue.
- Q. Showed his blue clothes? A. His blue clothes.
- Q. When was this? A. I could not tell you what seance this was, because not being particularly interested in that spirit friend I do not remember, but it was at one of the seances I went to. I could not tell you whether it was June or not.
- Q. You said "not being particularly interested". A. Not in that particular spirit. If they are not for me I do not pay so much heed.
- Q. If you suddenly saw a boy in uniform—— A. Yes, I saw him, but I did not take note of the date. I do not put those things down.
- Q. Did you ever see the back of any of the spirit forms? A. Yes.
- Q. Have they turned round completely like this? A. Yes.
- Q. What have you noticed? A. I have noticed the little guide Peggy comes out and dances, and you can see them all round.
- Q. At the same time? A. No, not the same time as the others.
- Q. Apart from Peggy, have you ever seen any spirit friend turn round? A. No,

not the others; they generally go backwards and fade away almost at your feet.

Q. Then you have not actually seen the back of any spirit friend? A. Only Peggy.

Q. Was she dressed in white? A. Yes, like the others.

Q. Have you seen the feet of any of these spirit friends? A. Yes.

Q. Were you asked yesterday if you had seen the feet of any one of them? A. Yes—where?

Q. Anywhere? A. No, I have spoken to nobody.

Q. Has anybody asked you if you had seen the feet? A. No, I did not discuss it.

Q. What feet did you see? A. Their ordinary feet.

Q. Can you see them always? A. I cannot say I have looked for them always.

Q. Whose have you seen? A. This little girl who comes out dancing.

A. With little bare feet? A. Yes.

Q. Have you any doubt about that? A. Absolutely none.

Q. Do you know that Mrs. Duncan sits without any stockings on, in bare feet? A. I know she has no stockings on, because I have undressed her. I don't know that she sits in bare feet. I don't think she does. I have seen her sitting in the cabinet, and I know she has her shoes on.

Q. If those shoes should slip off, there would be bare feet, would there not? A. If they slipped off; but how could they slip off?

Q. Are they not rather loose? A. No, they are not loose. They would not fall off.

Q. They would not fall off? A. They could not fall off.

Q. They are quite tight on, are they? A. They are just comfortable.

Q. What does little Peggy do? Just jig up and down and whirl round and round? A. I don't know that she jigs up and down, but she dances like any other child of her age.

THE RECORDER: Does she come right out in front of the curtain? A. Yes.

Q. Is there any connection that you can see between her and the curtain? A. No.

Q. Nothing white? A. Nothing whatever, my Lord.

MR. MAUDE: And at that moment the curtains, like my gown, are drawn together? A. Yes; she comes right out of there.

Q. Have you had some conversation with Mrs. Duncan from time to time? A. Not very often.

Q. Or Mrs. Homer? A. Yes, when I go to the meeting.

Q. Have you ever suggested that it would be interesting to see the curtains left open? A. I have seen the curtains left open.

Q. And seen Mrs. Duncan inside? A. I have seen Mrs. Duncan in trance there.

Q. With the red light on? A. Yes. Can I add something else?

Q. Yes. A. In May, when my daughter came for the first time, I forgot to mention that I was very disappointed because the time was just up, and I was very disappointed that I did not see my husband. I went with the express hope that he would come, and when Albert said that the power was nearly finishing I cried out; I said, "Oh, Mrs. Homer, isn't my husband coming?" and Albert heard me and said that he respected the medium and that she could not go on indefinitely, but he would do what he could, and so he brought Mrs. Duncan to the opening of the curtains, and my husband built up, just head and shoulders; it was Mrs. Duncan's body below, but just the head and shoulders of my husband.

Q. That is very interesting. A. And he bowed to me and said, "I will come again". That to me seemed very evident.

Q. Yes, I think it may have seemed very evident. Do we get the picture

quite right? There you were, standing by the lower part of Mrs. Duncan.
A. Yes.

Q. And the top part was your husband? A. My husband built on the top part, just head and shoulders.

Q. You could no longer see the head and shoulders of Mrs. Duncan? A. No.

Q. But the body of Mrs. Duncan was there? A. Yes.

Q. And her head and shoulders were turned into your husband? A. That was done, I take it, because the ectoplasm was finishing, or the power, as they call it.

Q. Had your husband's body a white thing round it? A. No, he had his bald pate and grey hair round here, quite natural.

Q. Did you see the shape of Mrs. Duncan disappear? A. I saw my husband built up, you see.

Q. How do you mean, built up? A. He built up on her.

Q. That seems to be a sort of technical phrase which people use. What do you mean by "built up"? A. All I could see was my husband's head and shoulders and Mrs. Duncan's body below.

Q. What is the building-up process? A. I don't know.

Q. Can't you describe it. A. No, I could not.

THE RECORDER: I suppose you mean appearing? A. Yes, my Lord. I am not well versed in the scientific part of it.

MR. MAUDE: Have you ever taken the trouble to look into the possibilities of deception by mediums? A. No.

Q. Do you know anything about it? A. No.

Q. Have you never read that it has been suggested by scientists that it is possible for people to swallow large volumes of things and spew them up again? A. No, I have never heard of that. I cannot see that it is possible, either.

Q. You don't know anything about it? A. No.

Re-examined by MR. LOSEBY.

Q. As a nurse, does it seem to you either sensible or possible that Mrs. Duncan could, as it were, from her body produce this white something—my learned friend says some white material—which comes from within her? Have you ever thought of that at all? A. No.

THE RECORDER: She says, No, she has not.

MR. LOSEBY: You said you were sceptical until you met Mrs. Duncan. A. I was sceptical, although I had had some wonderful proofs before that.

Q. You said you were sceptical after you met Mrs. Duncan. A. No, I have no doubt whatsoever that there is truth in Spiritualism.

Q. Have you ever felt Mrs. Duncan's hand? A. Have I ever felt Mrs. Duncan's hand?

Q. Yes. You referred to traces of rheumatism in your husband's hand. Have you ever felt Mrs. Duncan's hand? A. Yes.

Q. Is there any trace of rheumatism in her hand? A. I don't know about rheumatism, but it is not a bit like my husband's hand.

Q. You told my learned friend about the Air Force boy in Air Force clothes and with wavy hair. Is that right? A. That is right.

Q. You observed them all? A. I observed them all.

Q. Did you know the particular boy? A. No, he was for one of the sitters. I could not tell you who he was, and I do not remember the date.

Q. How close were you to him? A. About three feet, because I was in a front seat.

Q. How close do you prefer to get for the purpose of a perfectly scientific recognition in the light you ordinarily work in?

THE RECORDER: You do not profess to be a scientist, I suppose? A. No, my Lord, far from it.

- Q. That is a comfort for you, I dare say? A. I think really to see every little detail you ought to get quite two feet, or nearer if possible; the nearer the better.
- MR. LOSEBY: I thought perhaps you would say that. With regard to the daughter-in-law you referred to, were you certain about that? A. Absolutely. I was certain the very first time she came. She had only been dead two years.
- Q. How close were you to her? A. She was right close to me. She came to me. I did not go to her.
- Q. What was the build of this daughter-in-law? A. She was a very slight, little girl, and not over tall.
- Q. What about the voice of your daughter-in-law? A. The voice was not a bit like Mrs. Duncan's; it was a very low, soft-speaking voice.
- Q. With a Scotch accent? A. No, she is not Scotch; she is a Portsmouth girl.
- Q. Apart from her appearance and apart from her voice, did she say anything in particular to you, identifying herself to you? A. She told me about my son, how he was fretting, and she gave me a message for him. I did not know that my son used to speak to her photograph and shed a few tears occasionally. Do you want to know any more?
- MR. LOSEBY: I think not, Nurse Rust.
- THE RECORDER: In respect of all these manifestations, are the voices always low voices? A. No, some come out very boisterous.
- Q. Those you spoke of seemed to be rather quiet. A. My husband was rather an abrupt man and had rather a gruff voice.
- Q. You spoke about Mrs. Duncan's illness. How did you know about any illness of hers? A. I have always known since I made her acquaintance that she has had sugar diabetes, for one thing, and since then she has developed angina pectoris and this valvular disease of the heart. It was only at this last meeting that I noticed her heart was so bad.
- Q. For how long have you known her personally? A. Only since last May.

ADA ALICE CAROLINE SULLIVAN, *Sworn.*

Examined by MR. LOSEBY.

- Q. Is your name Ada Alice Caroline Sullivan? A. Yes.
- Q. Is your husband a labourer, and do you live at Portsmouth? A. Yes.
- Q. Did you attend a seance at 301 Copnor Road on January 14th? A. Yes.
- Q. Do you remember an incident that day concerning Mrs. Barnes? A. Yes.
- Q. Where were you sitting, exactly? A. I was the second from the window in the front row.
- Q. How close to Mrs. Barnes were you? A. I was sitting next to her.
- THE RECORDER: What happened? A. Her little granddaughter came through in front of the curtain. I was right close to the end of the curtain. She came through and caught hold of her hand and said a little nursery rhyme, "This little piggy went to market", with her fingers.
- MR. LOSEBY: Did you see her fingers doing this? A. Yes, I saw her hand.
- Q. What did her hand look like? A. A very small child's.
- Q. A child of about how old? A. I can't say exactly.
- Q. You actually saw the baby fingers? A. Yes.
- Q. Did she move the baby fingers? A. Yes.
- THE RECORDER: I don't know about "baby". It was a child, was it not? A. A very young child.
- Q. It could walk, could it not? A. Well, it stood there. It must have walked there to have stood there, mustn't it?
- Q. How far away from the curtains of the cabinet was it? Perhaps you could

not see. *A.* The curtain was pulled over, and the centre of the curtain was closed, and she came this side.

Q. How far away from the curtain did she come? *A.* She came forward out of the curtain.

MR. LOSEBY: Had Mrs. Barnes gone forward? *A.* No, she sat in the chair.

Q. Did the child's fingers touch Mrs. Barnes' fingers? *A.* Yes.

THE RECORDER: There it is. We have had it described several times. She says she saw it in the centre.

MR. LOSEBY: Did you hear the voice? *A.* Yes, I did.

THE RECORDER: The voice of a child or of an old man? *A.* No, it was a child's voice.

MR. LOSEBY: What did the voice sound like? *A.* Like a baby, almost.

THE RECORDER: Bare feet? *A.* I did not actually look at the feet.

MR. LOSEBY: You had an experience of your own, did you? *A.* Yes.

Q. What was your own experience? Was a figure announced for you? *A.* Yes.

Q. Did the figure come out? *A.* Yes, it came out.

Q. Did you recognise it? *A.* I recognised my mother.

THE RECORDER: Had you paid to go in? *A.* Yes.

Q. How much? *A.* 12s. 6d.

Q. You paid 12s. 6d., and your mother appeared? *A.* Yes.

MR. LOSEBY: How close did your mother get to you? *A.* She stood in the centre of the curtain; the curtain opened in the centre and she stood right in the centre of the curtain; she did not come out to me.

Q. Was there anything in her voice which struck you? *A.* Yes, I recognised it was her voice.

Q. The voice of your mother? *A.* Yes, I did, definitely.

Q. Had you any doubt of it of any kind? *A.* No, I did not; no doubt.

Q. Suppose your mother had not spoken at all, could you have recognised her from her appearance alone? *A.* Yes, by the shape of her face. I say the shape of her face because she had a chin, you see, just like mine.

Q. Were you close enough to see her actual features? *A.* Well, my sight is not very good. I actually saw her eyes, but I could not see the shape of the face.

THE RECORDER: For how long has she been dead? *A.* Since 1932.

Q. Did you notice any change in her? *A.* No.

Q. No change in the twelve years? *A.* No.

Cross-examined by MR. ELAM.

Q. For how long have you been interested in this sort of thing? *A.* About ten years.

Q. Had you been to the Master Temple before? *A.* I have been going there for over three years.

Q. You knew Mrs. Homer and Mr. Homer quite well, did you? *A.* Yes.

Q. And Mrs. Brown? *A.* I knew Mrs. Brown by her coming with Mrs. Duncan; that is all.

Q. Tell me about the "piggy" rhyme. Was it completed? *A.* No.

Q. Just the first line? *A.* That is all.

Q. Could you see the nails on the fingers? *A.* I am afraid I was not interested enough to notice all that, you see.

Q. Was there anything white around the hand, or near it? *A.* No.

Q. Was there anything white near where the hand was coming from? *A.* No, it was just ectoplasm and, as the hand was put out, it parted.

Q. Ectoplasm is white, is it not? *A.* Yes.

Q. Or whitish? *A.* Yes, it is.

Q. Passing to the incident of your mother, were you very anxious to see your mother if you could? *A.* I left it to whoever would come through.

- Q. Were you hoping that you would see your mother? A. I was happy when she did come to see me.
- Q. Would you have been disappointed if she had not? A. No, I would not have been, because they don't always come when you want them.
- Q. But you were hoping you would be fortunate? A. Yes.
- THE RECORDER: Had you ever seen one before? A. I have had three materialisations.
- Q. Through Mrs. Duncan? A. Yes.
- MR. ELAM: On the 14th, which is the date you have been talking about, do you remember an incident of a policeman? Did you see a policeman? A. No, I did not.
- Q. Do you not remember that? A. I remember a surgeon.
- Q. Do you remember a policeman saying, "Wait a minute, I've got to put my helmet on"? A. Yes.
- Q. Did you see the policeman? A. Yes.
- Q. Could you see his helmet? A. Yes, I could see it was a helmet, that was not of the English style; it was a different style to what our policemen wear.
- Q. We have had evidence that it was a white helmet and we have had evidence that it was a blue helmet. Which colour do you say it was? A. It appeared dark to me.
- Q. Did you see anything like a policeman would have—buttons, or anything on his collar, or a belt? A. No, I cannot say I did.

Re-examined by MR. LOSEBY.

- Q. I understand that you have had other identifications. A. Yes.
- Q. People have appeared whom you have previously known? A. Yes.
- THE RECORDER: Do you mean besides your mother? A. Yes.
- MR. LOSEBY: On how many other occasions? A. I have had two others; three altogether with Mother.
- Q. Who were they? A. One was my father.
- Q. How close did you get to your father? A. I was not so close that time.
- Q. How did you recognise your father? A. By his appearance. I could see him enough to know it was him.
- Q. What about his voice? A. Of course, I was very young when he passed; I could not say about his voice; I was only seven years old myself.
- THE RECORDER: Only seven years old? A. Yes.
- MR. LOSEBY: Who was the other? A. There was a great friend, an elderly gentleman.
- Q. How close did you get to him? A. I was close enough to see his eyes.
- Q. Were you certain that it was he? A. Oh yes, I am certain it was he.
- Q. What about his voice? A. I recognised his voice.
- Q. Have you got any doubt of any kind in the matter? A. No, I have no doubt.
- THE RECORDER: For how long have you known Mrs. Homer? A. Over three years. I could not say exactly.
- Q. And you have been attending services in this room or church, have you? A. Yes, I have gone to healing every week, and Sundays occasionally. I have never missed.

IRENE TAYLOR, *Sworn.*

Examined by MR. PEDLER.

- Q. Is your name Irene Taylor? A. Yes.
- Q. Do you live at Cosham, and are you the wife of Captain Taylor, of the Hampshire Regiment? A. Yes.
- Q. Do you remember going to the Master Temple in Copnor Road on the 14th January in the afternoon? A. Yes.

- Q. Do you remember where you sat on that occasion? A. On the windowsill.
- Q. Was anybody sitting on your left? A. Yes, Mrs. Cole.
- Q. Mrs. Cole, who has already given evidence, was sitting on your left? A. Yes, sir.
- Q. Do you remember the incident of Mr. Worth? A. Yes.
- Q. Do you remember where he was sitting? A. Yes, facing the cabinet to the right of Mr. Homer.
- Q. Were two naval officers sitting to the right? A. Yes.
- Q. Were you sitting at right-angles to the chairs? A. Yes.
- Q. You were looking across at them? A. Yes.
- Q. What happened with the first materialisation to Mr. Worth? Do you remember what appeared to him? A. Yes, a lady appeared to Mr. Worth.
- Q. How old was she? A. An oldish lady with rather long features and pointed chin. She came right out of the cabinet to Mr. Worth.
- Q. Describe the size of the figure. A. I should say about my own height.
- Q. Bigger than you, or smaller than you? A. Rather thinner and rather bent.
- Q. Stooping, did you say? A. She appeared to be stooping when she got to Mr. Worth.
- Q. How near did she get to Mr. Worth? A. She peered right into his face; she came right up to him and peered into his face.
- Q. Do you know what conversation took place between them? A. She said something to the effect of "Trying to be strange, are you not?"
- Q. Do you remember what Albert said about the next person who was coming to Mr. Worth? A. He said he had another person who was coming to Mr. Worth who was a sailor.
- Q. What did Worth say? A. He did not know a sailor.
- Q. What did Albert say to that? A. He told Mr. Worth that on their side of life there was no rank and file; everyone was the same.
- Q. Was there a third spirit for Mr. Worth? A. Albert said he had another little spirit, a premature baby who was his sister.
- Q. What did Mr. Worth reply? A. He did not know, but he would contact his parents, or his mother, and make sure.
- Q. He would ask his mother? A. Yes.
- Q. Were you sitting quite near Mrs. Barnes? Do you know Mrs. Barnes? A. Yes.
- Q. Was she in the corner, sitting in front of you? A. Yes.
- Q. What figures appeared to Mrs. Barnes? A. I am not sure which came first, but she had her father, a gentleman, and also a little baby girl.
- Q. Describe the little baby girl. A. She came out of the side of the curtains.
- Q. Do you mean by the wall? A. Yes.
- THE RECORDER: Is this the same date, Mr. Pedler?
- MR. PEDLER: This is the 14th, my Lord.
- THE RECORDER: The same date that we have been on?
- MR. PEDLER: Yes, my Lord. (*To the witness*) What about the size of the child? A. About three foot.
- Q. Did it come right out, or did it stay in the cabinet? A. She came out from the curtain right to her grandmother's knee.
- Q. Did you see her touch her grandmother? A. I saw her catch her finger and say "This little piggy".
- Q. You saw that incident, did you? A. Yes.
- Q. What about the voice of the child? A. Quite a childish voice.
- Q. It was not a large man's voice, was it? A. No.
- Q. Or a woman's voice? A. No.
- THE RECORDER: That was all it did, was it? A. As far as I can remember, my Lord.
- MR. PEDLER: Were you there also on the 19th? A. Yes.

- Q. Where did you stand on that occasion? A. At the back, to the left of the rostrum.
- Q. That means to say that the red light was on your right?
- THE RECORDER: On the 14th did any of your friends or relatives appear? A. No.
- Q. Had you paid anything? A. No.
- Q. You did not get any friends? A. No.
- Q. On the 19th did you pay? A. No, my Lord.
- MR. PEDLER: You say you were standing just by the red light? A. Yes.
- Q. Therefore, you would not see the materialisation so easily as you did on the previous occasion? A. Not quite so easily.
- Q. Do you remember the third occasion when a spirit materialised? A. I did not see any materialisation of the third spirit form, because there was such a commotion I did not see anything.
- Q. When the commotion took place, it took place in front of you, did it not? A. Yes.
- Q. Was the man who rose immediately in front of you? A. No, he was just a little to the right. I saw a form, but I did not know who it was until afterwards. It was a Mr. Cross. I saw something dash forward, and I also saw somebody else standing to the right. In the dashing to the curtains I saw the curtains flying round. I could see the back wall also being shifted, but I could not see any definite forms.
- Q. Did you see what happened to Mrs. Duncan? A. Not until afterwards, when the lights were on.
- Q. When the lights were on, you began to see things? A. Yes.
- Q. What did you see then? A. I saw Mrs. Duncan in the room in a chair.
- Q. Sitting in a chair? A. They had brought a chair out into the room, and Mrs. Duncan was sitting down.
- Q. It was as light as that, was it? You didn't see anything before, did you? A. I was too confused to notice.
- Q. What about the incident of looking for a sheet? A. I heard Mr. Cross say he had seen something thrown from the cabinet to the young lady over there.
- Q. You heard Cross say that? A. Yes.
- Q. What was the reply to that? A. Miss Christine Homer stood up and said, "Are you accusing me?" and she turned to all the other people and said, "You heard that statement, friends; I have been accused", and she turned to Mr. Cross and said, "You search me". Mrs. Homer then asked that everybody might be searched. We all demanded that we should be searched.
- Q. The whole room? A. Yes.
- Q. Men and women? A. Yes.
- THE RECORDER: Including you? A. Yes.
- Q. Nobody had suggested that you had done anything? A. Previous to this Mr. Ford had said that someone in the room had the white material, and to save ourselves any displeasure would we kindly give it up.
- MR. PEDLER: Did you see any policeman searching the room? A. No.

Cross-examined by MR. ELAM.

- Q. Starting with the 19th, the day of the commotion, had you seen anything white just before the commotion began? A. Yes, a spirit form.
- THE RECORDER: In front of the curtain? A. Yes, a lady.
- MR. ELAM: What happened to her? A. She came through the curtain with her arms as though she was carrying a baby.
- Q. Could you see the baby? A. No, sir.
- Q. What happened to her after that? A. She had a conversation with the young man who was her son, and she just went back to the cabinet.
- Q. Was that before the commotion had actually begun? A. Yes, sir.

- Q. It did not start when she was out? A. No, sir.
 Q. Had she gone back into the cabinet? A. Yes.
 Q. And the curtains were closed? A. Yes.
 Q. Then did Cross, as you now know him to be, get up? A. No, sir; that was the first spirit form you are speaking of.
 Q. We are at cross purposes. There was another one, was there? A. Yes.
 Q. And then there was a third, and it was then that the commotion took place? A. Yes.

THE RECORDER: That is the only one we want to know about.

MR. ELAM: Yes, my Lord. (*To the witness*) What happened, Mrs. Taylor, just before the commotion? There was a white figure out, was there? A. I did not see a white figure.

THE RECORDER: It was all dark when Mr. Cross made his approach to the curtain, was it? A. Yes.

- Q. There was no spirit form visible then? A. I did not see it.
 Q. So you could not see it disappear? A. No, my Lord.
 Q. If it was not there. A. I could not see it. I was right at the back.
 MR. ELAM: Did you see Cross stooping down? A. No.
 Q. Then afterwards you say he pointed at Miss Christine Homer. Was Miss Christine Homer rather angry with the police? A. Yes, sir.
 Q. Did you hear the naval officer, Mr. Worth, say that the white, whatever it was, had disappeared? A. Yes.
 Q. Did Mrs. Duncan say anything to that? A. When I went to her chair she said, "Of course, it has got to go somewhere; it is ectoplasm".
 Q. Did you hear all that? A. Yes, sir.
 Q. For how long have you been interested in this? A. About a twelvemonth.
 Q. Had you been to the Master Temple before? A. No, sir.
 Q. Never until the 14th? A. Oh yes, sir, I had been to the Master Temple at least twelve months.
 Q. And to the seances? A. Yes.
 Q. Had you seen Mrs. Duncan before the 14th? A. Yes, in September.
 Q. When she was down in the autumn of last year? A. Yes.
 Q. Do you know the Homers quite well? A. Fairly well; only through going to the Master Temple.
 Q. And Mrs. Brown? A. No, I never met Mrs. Brown before.
 Q. Did you ever stay with the Homers for tea after the meetings? A. Yes.
 Q. Have you ever bought things in the shop below? A. Not until recently.
 Q. I mean before this case started? A. Not that I can recall.
 Q. Could you see the nails on the child's hand? A. No, sir; I did not look for them.
 Q. Were you quite close to the naval officer, Lieutenant Worth? A. No, quite close. When the spirit form came for Mr. Worth I stood down off the windowsill behind Mrs. Barnes to see a little better.
 Q. Could you see the features of the spirit form that came out to the naval officer? A. Yes, sir.
 Q. He says he could not see any features, but you say you could? A. I could.
 Q. And you were further away? A. Yes, sir.
 Q. Do you remember something being said about an uncle on the 14th? A. No, sir.
 Q. You do not remember that? A. No, sir.
 Q. Did you see anybody salute the lieutenant? A. No, I did not.
 Q. Do you remember his sister coming out? A. No, sir.
 Q. Did you not hear him say, "There's some mistake. I've only one sister, who is alive"? A. No, I did not hear that.
 Q. Did you hear a voice say, "You may not understand that it was a premature child"? A. Yes, that was Albert.

- Q. Did you hear Mr. Worth say, "I'm certain there were no premature children in our family"? A. No.
- Q. Do you remember anything about the stump of an arm? A. Yes.
- Q. But you don't remember all that about Lieutenant Worth's uncle? A. No.
- Q. Do you remember anything about a policeman? A. Yes.
- Q. Did you see his helmet? A. Yes.
- Q. Can you tell me what his helmet was like? A. I was rather interested in the spirit form with the helmet because it did not appear to be an ordinary helmet to me, and I did not think it could be a policeman, because it seemed to me just like a topee with a dark piece around here.
- Q. How high did it come up off the head? A. I am not a very good judge of distances, but I should say about six inches. Would that be right?
- Q. What colour was it? A. White.
- Q. Not blue? A. No—white, with a dark piece around the front, it seemed.

WALTER JOHN WILLIAMS, *Sworn.*

Examined by Mr. PEDLER.

- Q. Do you live at 26 Lawrence Road, Southsea? A. Yes.
- Q. Is your name Walter John Williams? A. Yes.
- Q. Are you an official collector for the Portsmouth Corporation? A. Quite.
- Q. Do you remember the 19th January, when you went to see Mrs. Duncan in trance? A. Yes.
- Q. Do you remember the third spirit form appearing? A. Yes.
- Q. Where were you sitting? A. Fourth from the door.
- Q. Who was on your left? A. Mrs. Gill.
- Q. So it was Mr. Williams, Mrs. Gill, Homer, Mr. Gill, Alabaster, Coulcher? A. Yes.
- Q. Do you know all the people there? A. Most of them.
- Q. When you were sitting there did you see anything happen from your left rear? A. Yes, suddenly some chairs were overturned, somebody darted forward across the chairs—I have since learned it was Mr. Cross—something struck me on the left side of my nose—
- Q. Struck you? A. Yes; I don't know what it was; it may have been somebody else who was pushed over. And then a torch was switched on.
- Q. Did you look into the cabinet? A. Yes.
- Q. Did you see anything in there? A. No, not actually in the cabinet; I was too far at this particular seance, but Mr. Cross made a grab for the figure, and it sort of melted and he fell forward into the cabinet.
- Q. He fell right through the curtains? A. Yes.
- Q. What happened to the curtains? A. I did not take that particular notice; I simply saw him fall through.
- Q. What happened when the lights were put on?
- THE RECORDER: Can he not tell us what he saw, Mr. Pedler? It is so much simpler, and we get on quicker.
- THE WITNESS: When the lights came on, the next thing I was was Mrs. Duncan on an upturned chair. I afterwards saw her being supported by Mrs. Gill. Whistles were blown, and everybody told to keep their seats. Mrs. Duncan was in a very distressed condition, repeatedly asking for a doctor. Mrs. Homer appealed for a doctor, and one of the men—I believe it was Mr. Cross, but I am not certain—said, "She will get a doctor".
- MR. PEDLER: Did you see anything about a sheet? A. I did see something.
- THE RECORDER: Where did it go? A. It seemed to disappear right through the floor, simply melted.
- MR. PEDLER: Do you remember the 18th? A. Yes.
- Q. That was the day before? A. Yes.

- Q. Did anything appear to you at the seance at Copnor Road? A. Yes, my mother.
- Q. When did she pass over? A. In October, 1942.
- THE RECORDER: This is the 18th, is it? A. Yes.
- MR. PEDLER: This is the 18th, the day before the 19th.
- THE RECORDER: Had you paid a fee on either of those days? A. Yes, I paid 12s. 6d.
- Q. On the day you saw your mother? A. Yes.
- MR. PEDLER: When your mother appeared, where were you sitting? What seat did you have there? A. Right in front of the cabinet.
- Q. Did she come right out to you? A. Yes, she came right out to, I suppose, within twelve inches of me.
- Q. Did you see her face? A. Perfectly. I stood up to embrace her, and as I did so she stepped back to the curtain. I followed on. That brought my head right within the curtain. I stood talking to her, and Mrs. Duncan then I saw in a chair in a trance.
- Q. With your mother standing up? A. Yes, my mother was standing there right inside the curtain, and Mrs. Duncan was in the chair.
- THE RECORDER: In front of Mrs. Duncan, or by the side of her? A. Practically in front, just inside the curtain.
- Q. Was she in front of or at the side of your mother? A. She would have been at the side.
- Q. Not in front? A. I stood a little further behind, not in line with my mother.
- Q. Your mother was to the side, and a little in front of Mrs. Duncan? A. Yes.
- Q. Was there anything between them? A. Nothing at all.
- Q. Nothing that you could see? A. No, only a little white stuff, which I thought was ectoplasm which was connected with Mrs. Duncan.
- MR. PEDLER: How did you recognise your mother? How did you know it was your mother? A. I recognised her immediately she came through the curtain, first of all by her attitude. She whispered something to me, my name, the abbreviation of my Christian name.
- Q. What is the abbreviation? A. She called me 'Walt' in a very quiet voice.
- Q. 'Walt' is an abbreviation for 'Walter', is it? A. Yes. When she smiled there was a slight wrinkling of the nose, and I did notice that.
- Q. And the voice? A. The voice was absolutely identical.
- THE RECORDER: Did she say anything to you except 'Walt'? A. No. We stood talking on a little matter concerning others of my family. I was asking whether I should tell them, because they are all very bitter against Spiritualism. I was myself until recently. I was really only investigating. I went to one or two circles.
- Q. What did your mother say? A. She told me not to be too eager.
- Q. To do what? A. To tell all about it. She said, "Those things will right themselves". She said, "You know what to do. Use your own discretion".
- Q. She did not mind you calling her out? A. Me calling her out?
- Q. Did you not call her out? A. No, I did not call her out. The guide announced that he had somebody for a gentleman sitting in front of the cabinet, and he said it was an old lady, and the conditions in which she passed over, and I said, "Let me come and see you".
- Q. Is that not asking her to come out? A. Yes, but I never called her 'Mother', because I was not certain it was her.
- Q. You asked her to come out? A. Yes.
- Q. And she came? A. Yes.
- Q. Did she say anything to you about being disturbed, or minding coming out? A. No.
- Q. But she did not want you to say anything to the others? A. No. She said, "Use your own discretion", not to go straight to them and tell them;

otherwise they would think what a good many other people think concerning Spiritualism.

- Q. How long did all this take? A. About two to three minutes, I suppose.
 Q. And everybody in the room could hear it? A. Yes. We were talking quietly, of course.
 Q. How did you come to say "Good-bye"? What happened? Who broke off the interview? A. My mother; she simply disappeared.
 Q. Without even saying "Good-bye"? A. Just disappeared through the floor.
 Q. Through the floor? A. Well, that is as it appeared.
 Q. At your feet? A. Yes, practically at my feet, right in front of me.
 Q. Without saying a word? A. No.

Cross-examined by MR. ELAM.

- Q. On the 19th, when Cross went through the curtain, as you say, was he sort of stooping down? A. I did not notice.
 Q. Did the white stuff that you say disappeared through the floor disappear very quickly? A. Fairly quickly.
 Q. For how long has your mother been dead? Forgive me for asking you. A. She died in October, 1942.
 Q. Did she look just the same as when you last had seen her? A. Precisely; the features, of course, I am referring to.
 Q. Was the voice a low voice when she said 'Walt'? A. It was her natural voice; perhaps a little quieter, but that was all.
 Q. Was there any white stuff around or near your mother? A. Naturally, she was in a spirit robe.
 Q. Did it end in a sort of point? A. No.
 Q. Could you see her feet? A. I could see her feet, yes.
 Q. Had she any shoes on? A. I do not quite remember that.
 Q. Any stockings on? A. No, because the spirit robe was long; the spirit robe covered her.
 Q. Down to the ground? A. Practically down to the ground, yes.
 THE RECORDER: Could you see through the spirit robe? A. It was sort of semi-transparent. Actually, I touched it.
 Q. Could you feel it? A. It felt like touching nothing. The nearest approach I could give you to it is, it was more like spider web.
 MR. ELAM: Rather like butter muslin? A. No, definitely not.
 Q. Do you know what I mean by butter muslin? A. Yes, I know. That is a rough texture, is it not?
 Q. I was asking you if you knew what it felt like. A. I have felt butter muslin, yes. It was nothing like that.
 Q. Nothing like cheese cloth? A. No.
 Q. It had got a little web, had it? A. It felt like spider web, very, very fine.
 THE RECORDER: What else had she got on besides the robe? A. That is what she was wearing, the spirit robe.
 Q. Was it fastened on her, or round her head? A. It appeared to be one piece just hung in pleats.
 Q. With her face showing through? A. Her face was entirely uncovered; I saw all her face.
 MR. ELAM: Could you see her hair? A. Yes.
 Q. Her arms? A. Not her bare arms; the robe was hanging over them.
 Q. Rather like a gown? A. Yes, it would be on that principle.
 Q. For how long has your mother been dead? A. In October, 1942, she died.

(Adjourned for a short time).

- Q. When you put your head through the curtains of the cabinet and said you saw Mrs. Duncan—do you remember saying that before lunch? A. Yes.

- Q. Could you see the whole of Mrs. Duncan? A. Yes.
- Q. Are you certain? A. Yes.
- Q. How far away from her was this other figure? A. About two feet, I suppose.
- Q. Joined, as you have already told my Lord, by something white? A. Yes.
- Q. For how long have you been interested in this sort of thing? A. In Spiritualism?
- Q. Yes. A. Since about last October; that was the first time I attended.
- Q. Are you a married man? A. Yes.
- Q. Is your wife keen on it also? A. No, she is just the opposite.
- Q. How many times, roughly, had you seen Mrs. Duncan? A. Twice.
- Q. Did you go to other meetings in Copnor Road? A. Yes, I have attended circles.
- Q. Did you know Mrs. Homer? A. I knew Mrs. Homer last October; the end of last October.
- Q. Have you talked with her from time to time outside the circles? I mean, when they were over or before they began, for instance? A. Just ordinary friendly conversation.
- Q. Just ordinary friendly talk? A. Yes.
- Q. And the same with regard to Mr. Homer? A. Yes.
- Q. Did you ever talk to Mrs. Brown? A. No.

Re-examined by MR. LOSEBY.

- Q. You referred to certain definite identifications. What effect have they had upon your mind? A. Only to thoroughly convince me.
- Q. Of what? A. That Spiritualism is what it is claimed to be, only I was not convinced.
- Q. Has it made you happier or unhappier? A. Very much happier.

IVY STAMMERS, *Sworn.*

Examined by MR. LOSEBY.

- Q. Is your name Ivy Stammers? A. Yes.
- Q. Do you live at Rose Cottage, Old Bosham, near Chichester? A. Yes.
- Q. Have you been an investigator of psychic matters for some time? A. Not as much as I should have liked, but I have been interested for about twenty-five years, I should think; only I have been abroad a lot.
- Q. Were you present at Copnor Road on the 14th January? A. Yes.
- Q. Are you a Spiritualist yourself? A. Yes, I believe in it.
- Q. Do you remember an incident with a naval officer who was present? A. Yes.
- Q. As far as you can remember, will you tell my Lord and the jury what you heard? A. He was sitting in front; he had a very good view; and Mrs. Duncan when it was over—I think he said he was a doctor, or the friend with him did—said, “As you are a doctor, you can come in with these other ladies and make quite sure that I have no white material or anything of that sort. You can investigate”, and he did. He went in with me—I was one of the ladies—and he watched us undress and dress Mrs. Duncan, and just stood there and talked to her. That was all.
- Q. After the seance had commenced, do you remember anything being said by anybody who purported to be a guide? A. Yes, the guide said he was not a Spiritualist.
- Q. What did the guide say? A. He said, “You are not a Spiritualist”, and I think he said, “No, I am interested”.
- Q. Do you remember any materialisation announced for that particular officer? I am referring to Mr. Worth. Do you remember that incident?

- A. No, I do not. I seem to remember one for the naval officer who was with him.
- Q. What? A. I think the officer who was with him had somebody come.
- Q. Yes, I mean the officer with him—Mr. Worth. I am not referring to the doctor. A. Oh, I see. Yes, something about a sister. They asked him to find out if he ever had a sister. He said he did not know her, but I cannot remember the details; there were so many.
- Q. Apart from the prematurely born sister? A. Yes, that's right.
- Q. You don't remember any other incident. You don't remember an incident connected with an aunt, and what was said about that? A. No, I don't think I can say.
- Q. You don't remember any following incident? A. In connection with him, no, except, Mrs. Duncan said she felt she knew him, she had seen him before.
- Q. Said what? A. She said she felt she had seen him before.
- Q. I am not referring to that; I am referring to the seance itself. If you cannot remember I will not trouble you. A. No, I am sorry to say I cannot truthfully say I do.
- Q. Have you sat with Mrs. Duncan on previous occasions? A. No.
- Q. Is that the only occasion on which you have sat with Mrs. Duncan? A. Yes.
- Q. I am afraid you cannot help me very much, then. A. I am sorry.
- MR. ELAM: I ask no questions, my Lord.

MRS. TREMLETT, *Sworn.*

Examined by MR. LOSEBY.

- Q. Are you Mrs. Tremlett, of Allsworth Manor, Emsworth, Hampshire? A. Yes.
- Q. Were you present at a sitting with Mrs. Duncan on the 14th January at 301 Copnor Road, Portsmouth? A. Yes.
- Q. Do you remember a materialisation, or an alleged materialisation, for a naval officer of the name of Mr. Worth? A. Yes.
- Q. Will you tell my Lord and the members of the jury what you recollect about that? A. I recollect a spirit form coming out, and Lieutenant Worth did not speak up very well, to ask the spirit form to come out, and the spirit form just materialised, but as he did not ask it to come out, it disappeared almost at once.
- Q. Do you remember what was said? A. With that one, nothing, as far as I can remember; but there was another spirit form afterwards that spoke.
- Q. Do you remember anything being said with regard to the first one? A. No, the second one.
- Q. What do you remember was said about the second one? A. As regards the second one, a woman came out, and Lieutenant Worth asked if it was his aunt.
- Q. Do you remember the reply, if there was one? A. The only reply I remember her making was, "You are acting strangely".
- Q. Is that all you heard? A. That is all I remember of the conversation.
- Q. Do you remember anything being said after that? A. Yes, Albert said he had a sister of Lieutenant Worth's in spirit life that had been prematurely born, and he, Albert, asked Lieutenant Worth if he would verify that, and he said Yes, he would.
- Q. You referred to the incident when you say the words were used "You are acting strangely", or words to that effect. What became of the form after that? Did you notice? A. After that the form disappeared.
- Q. It just disappeared, did it? A. It had come right away from the curtain.
- Q. Were there any other phenomena, or whatever you call them, that particularly attracted your attention upon that day? A. Lieutenant Worth was

also told that there was a sailor for him, and he said, "I know no sailor", and Albert said that there was no rank and file on the other side. He also told him that he was not a Spiritualist.

- Q. You have referred to three incidents. A. Yes.
- Q. The little old lady, the sister prematurely born, and the sailor. A. Yes.
- Q. As far as you can remember, were there any others besides those three for Mr. Worth? A. There was the first spirit form, but it did not speak at all, as far as I can remember.
- Q. Were there any other phenomena, or apparent phenomena, that particularly attracted your attention that day? A. There were several other spirit forms that came. Do you want me to tell you what they were?
- Q. Yes. A. There was a little old lady.
- Q. For whom was that? A. I don't know the name of the person.
- Q. Do you remember anything else? A. She wanted to speak to her daughter alone. There was a parrot.
- Q. Did you see it clearly? A. Yes. There was a cat. There was a man who had a mutilated arm.
- Q. I think you should tell us about that, perhaps. What was that incident? Tell us, as far as you can remember. A. The man with a mutilated arm?
- Q. Yes. A. He came out from the curtain. He did not speak, as far as I remember; he just sobbed.
- Q. Was there anything in the nature of an identification there, as far as you can say? A. He had a stump.
- Q. How do you know he had a stump? A. Because I could see his arm up to his wrist, but no hand.
- Q. Was that shown to anybody, or identified? A. Yes, he was claimed by someone.
- Q. Can you remember any other particular events that occurred that day? A. There was Peggy, Albert's guide.
- Q. Did you see Peggy? A. Yes.
- Q. What impression did you get of Peggy from the point of view of your eyesight—her size? A. She was a young girl.
- Q. Fat, or otherwise? A. She did not strike me as particularly fat.
- Q. About what age would you have put her, at a rough estimate? A. She might be eighteen to twenty, something about that.
- Q. Were there any other incidents that you can remember? A. Yes, I remember a little girl, Shirley, coming out.
- Q. Did you notice anything particular about Shirley? Did you notice the size of Shirley? A. Yes, I have said she was about three.
- Q. A child of about three, you think. What was the voice of that child like? A. Like any child's voice.
- Q. Like a child of about how old? A. About three.
- Q. Were you near enough to see the features? A. Quite.
- Q. What were they the features of? A. Of a child.
- Q. Of how old? A. Three.
- Q. So far as your judgment went, the appearance of a child of three, the size of a child of three, and the voice of a child of three? A. Yes.
- Q. You are just giving your impression. Upon that occasion had you any identifications or any call for yourself? A. No.
- Q. You have sat with Mrs. Duncan upon previous occasions, have you not? A. Yes, once.

THE RECORDER: Had you paid on this occasion? A. Yes.

Q. The usual 12s. 6d.? A. 10s. 6d. the time before.

Q. You had not paid on this occasion? A. Yes, I paid 12s. 6d.

MR. LOSEBY: You had no identification for yourself, had you? A. Not on the 14th.

Q. On the previous occasion had you? A. Yes.

Q. What was the approximate date of the other one? A. I think it was April 2nd.

THE RECORDER: Never mind the date. April of last year? A. No, 1941.

MR. LOSEBY: Where was it? A. At Havant.

Q. Were you sitting under test conditions? A. No, the ordinary.

THE RECORDER: Was Mrs. Duncan the medium? A. Yes, Mrs. Duncan was the medium.

MR. LOSEBY: Did you get one or more? A. What?

Q. Identifications, or any particular phenomena that interested you? A. I had my husband.

Q. Tell us about that. A. My husband came. When he first started to come I could hear the tapping of his walking-stick, and Albert said to him, "You do not need your walking-stick here, old man", and that was entirely a joke, because he never parted with his walking-stick and, if it was left behind, we always had to return and get it; and he gave me that as an identification to begin with. He came out through the curtain; he came right up close to me, so close that I had to draw back, and I could distinctly see the dimple on his chin.

Q. Had your husband got a dimple on his chin? A. Yes.

Q. Was it your husband? A. Yes.

Q. Have you any kind of doubt about it? A. None at all.

Q. What about the voice? A. The voice was my husband's.

Q. Of a certainty? A. Absolutely.

Q. How far did he come out of the cabinet? A. Right up to me. I was sitting in the front row.

Q. You have given us one point of identification, the joke about the walking-stick. Was there anything else you can remember by way of identification? A. About my husband?

Q. Yes. A. No, nothing outstanding.

Q. Except that it was your husband? A. I know it was him. I could see his face.

Q. And you heard his voice? A. Yes.

Q. Had you any other phenomena upon that occasion? A. Yes, a girl came out of the curtains, and the night before a friend and I had been talking about her in my bedroom. I did not know her, but she brought up her photograph and showed it to me and told me about her, and when this girl came out she said, "I had to come because I heard you talking about me last night, and saw you looking at my photograph".

Q. Then this girl came? A. Yes.

Q. Did she come right out of the cabinet? A. No, she did not, but she brought her hand up over her head like that, and we could see her robes most distinctly.

Q. Could you see her face distinctly? A. Yes.

Q. Could you hear her voice? A. Yes.

Q. What was the voice like? A. I cannot say it was like her voice, because I don't know her.

THE RECORDER: It was a woman's voice, I presume? A. Yes.

MR. LOSEBY: A girl's or a woman's? A. A woman's voice.

THE RECORDER: It was a friend of your friend? A. Yes.

MR. LOSEBY: Had it any similarity, as far as you could judge, to the voice of Mrs. Duncan? A. Not the slightest.

Q. It has been suggested that these phenomena are in reality Mrs. Duncan in some form or another. Tell me quite plainly: was it possible for the man, your husband, to have been Mrs. Duncan disguised in some way or another? A. No; my husband had a very low speaking voice.

Q. I am talking about appearance only for the moment. A. Not the slightest.

Q. No possibility, do you say? A. None; he was much taller.

- Q. Was your husband's voice a typical voice or not? A. Absolutely.
- Q. With regard to the woman you spoke of, did you observe—of course, that is not final—any similarity of any kind between the voice of this woman you heard and Mrs. Duncan? A. No, none.
- Q. Did Mrs. Duncan, as far as you know, know your husband? A. No.
- Q. Or anything about him? A. Nothing.
- Q. As far as you know? A. I know she did not.
- Q. As far as you know, had she any means of getting hold of a photograph, or anything of that kind? A. None at all.
- Q. I would be most grateful if you said: Can you think of any grounds of suspicion, or reasonable grounds of suspicion, in regard to that one matter? A. I had never seen Mrs. Duncan before that sitting.
- Q. You had never seen her before that occasion? A. No.
- Q. And those same observations apply to Mrs. Homer? A. Absolutely.

Cross-examined by MR. ELAM.

- Q. About how many times have you seen Mrs. Duncan in all? A. Twice.
- Q. Did you ever hear her, to your knowledge, imitate other people's voices? A. Never.
- Q. What was your husband in life? A. A solicitor.
- Q. At Emsworth? A. No, in Sunderland.
- Q. In Sunderland? A. Yes; but he has died.
- THE RECORDER: When did he die? A. Four years ago.
- MR. ELAM: Had he a substantial practice in Sunderland? A. Yes, I think so.
- THE RECORDER: When did you come south? A. I lived in the south, and I went north after I was married for ten years, but I came back to the south in 1929.
- Q. With your husband? A. Yes.
- Q. He came south with you, did he? A. Yes. He then gave up being a solicitor, and was a professional tennis player.
- MR. ELAM: Had he been acting as a solicitor in Sunderland for some years? A. Yes.
- Q. About how many times have you seen Mrs. Homer? A. I saw her for the first time at the Harvest Festival this year which was held in Portsmouth.
- Q. Last year, do you mean? A. Yes, last year.
- Q. It is held in the autumn, is it not? A. That is right.
- Q. What about Mr. Homer? A. I saw him for the first time too.
- Q. What about Mrs. Brown? A. I never saw her before the 14th.
- Q. For how long have you been interested in Spiritualism? A. All my life.
- Q. How many times have you been to the Master Temple at Copnor Road? A. Only once.
- Q. You had not been to any of the other sort of meetings? A. No.
- THE RECORDER: Who had arranged for the meeting in April, 1940, at Havant? A. A Mr. Clayton.
- Q. Was he a resident in Havant? A. Yes, Denvilles, I believe, is where he lived.
- Q. Was it held at his private house? A. Yes.
- Q. Did you know him? A. I had met him just once before.
- Q. Did he engage Mrs. Duncan? A. As far as I know.
- MR. ELAM: You were telling us about Lieutenant Worth on the 14th. Did it strike you at the first materialisation that he did not quite know what to do? A. Yes.
- Q. Did he behave perfectly properly? A. Yes.
- Q. But he seemed not quite used to it? A. That is right.
- Q. Have I put it fairly? A. Quite.
- Q. Do you remember anything being said about his uncle? A. No, I am afraid I don't.

- Q. I will remind you. I want to see how far you agree with me, if you do. After the aunt, did Albert say, "For the same gentleman I have a man who passed with some trouble to his chest"? Do you remember that?
- A. I am afraid I don't remember.
- Q. And did Worth say, "Come out, please," and then did the figure come out, and did Worth say, "Are you my uncle?" Do you remember anything like that? A. No.
- Q. Do you remember any figure saluting Worth? A. Anybody saluting Worth?
- Q. Yes. A. No.
- Q. Or anybody giving him the motion of a salute? A. No.
- Q. Do you remember Worth saying, "There must be some mistake, as I only had one sister, who is alive"? A. I thought he said, "I have no sister".
- Q. That is your recollection? A. Yes.
- Q. Do you remember the voice saying, "You may not understand, but she was a premature child"? A. Yes.
- Q. I want to ask you something about the mutilated arm. Did Albert say that it had occurred out East, in China, or something like that? A. I thought it was Singapore he said.
- Q. Had a lady asked if it was Shanghai before Singapore was mentioned? A. I would not like to say. Somebody asked something, but I should not like to say it was Shanghai.
- Q. Do you remember Singapore? A. I remember Singapore.
- Q. Did you see a policeman on that day? A. Yes.
- Q. Did you see his helmet, which he went to fetch? A. I was not sitting very well for that.
- Q. I still ask you: Could you see the helmet? A. I could not see it very plainly.
- Q. Did you notice what colour it was? A. I could see two light bands. It was sideways to me, and I could not see any more.
- Q. Light bands on a dark helmet? A. Yes.
- Q. Tell me a little more about the parrot. Had it got a name? A. "Bronco".
- Q. Could you see that well from where you sat? A. Yes.
- THE RECORDER: Who gave it its name of "Bronco"? A. I think the owner who claimed it said it was "Bronco".
- Q. Do you know who that was? A. I did not know anybody else there except Albert, the guide.
- MR. ELAM: Could you see its eye or its beak? A. Yes.
- Q. It did not fly at you? A. No.
- Q. Could you see its body? A. Yes.
- Q. Did it move? A. Yes.
- Q. Did it talk? A. It said, "Pretty Polly".
- Q. What colour was it? A. White.
- Q. Any other colour? A. I did not notice any other colour.
- Q. What colour was the cat? A. White.
- Q. Could you see its face? A. Yes.
- Q. Whiskers? A. I was too far back to see that.
- Q. Tell me about the light. Is two feet the ideal distance to see in the red light? A. The nearer you are, the better.
- Q. Two feet would be a good distance, would it? A. Yes.
- Q. Did the Shirley incident happen on the 14th? A. Yes.
- Q. Was anything said about Audrey? A. I do not remember anything about Audrey. I remember Shirley recited.
- Q. What did she recite? A. "This little piggy went to market".
- Q. How far did the "piggy" go? A. All the way.
- Q. Not just the first line? A. No.
- Q. "Roast beef", and all that? A. Yes.

- Q. And the little piggy that had none? A. Yes.
- Q. That struck you very much, did it? A. Yes.
- Q. Some people have said that she never got further than the first line, but that would be quite wrong, would it? A. I should say so.
- Q. What struck you was that she went through the whole rhyme? A. Yes.
- Q. I was not quite clear—I expect it is my error—who it was that showed you the photograph of the girl that you did not know. A. Mrs. Jobling.
- Q. Was she at the meeting in 1941 with you? A. Yes.
- Q. Was she a Spiritualist too? A. Yes.
- Q. Had she been before, do you know? A. Yes.
- Q. She showed you a photograph the evening before you went to the meeting. Is that right? A. Yes.
- Q. I hope you will not think I am trying to muddle you up; I am coming to your husband just for a minute. From which direction did the tapping of his stick come? Could you help me about that? A. No, it was behind the curtain.
- Q. Was it loud or soft? A. Loud.
- Q. For how long did it go on? A. I should think four or five taps at least.
- Q. Were the curtains closed then? A. Yes.
- Q. Did you see Albert at any time? A. Yes.
- Q. What did he look like? A. He was very tall.
- Q. Anything else? A. With a beard.
- Q. Anything else? A. I do not think anything else struck me. Rather a thin face.
- THE RECORDER: Did you see him again two years later? A. Yes.
- Q. Was he just the same then? A. Just the same.
- Q. Did you ever discover whether he had a surname? A. I have never tried to find out?
- Q. As an experienced Spiritualist, can you tell me anything about the theory of guides? Why does a medium want a guide? A. For the same reason that you want a telephone here if you want to speak to someone else in a different place.
- Q. A guide is very useful for saying, "I have got a spirit here for a lady" or "for a gentleman"? A. Well, in the materialisation—I do not know much about the technical side of it.
- Q. I was wondering whether you could help me about that. It is difficult to follow why a guide is wanted. A. I can only explain that if you want to speak to somebody in America you have got to use a telephone, have you not?
- Q. That doesn't seem to me to help at all. However, that is the best you can do, is it? A. I suppose it is.
- MR. ELAM: You are not supposed to say, "Who are you?" That is wrong, is it not? You have to say, "Is it for me?" A. That's right.
- Q. What sort of voice did Albert speak in? A. It was always the same voice.
- Q. That does not help me. Can you tell me what "the same voice" is? A. It is a very refined type of voice, I think.
- Q. Is there anything else you noticed about it? A. No.
- Q. Any particular accent or quality. A. No.
- Q. Did anything else strike you? A. No.
- THE RECORDER: Did Albert ever explain why he was so faithful to Mrs. Duncan? A. I never asked him.
- Q. Did he ever say that he was always in attendance? A. Not to me.
- Q. Or how he came to be associated with Mrs. Duncan? A. No.
- Q. That was never mentioned? A. No, it has never been mentioned to me by any guide.
- Q. Does every medium have a guide? A. Yes.

- Q. Every medium that you have had anything to do with has always had a guide? A. Yes.
- Q. To tell you what is happening, to introduce the spirit? A. To introduce the spirit or to talk to you.
- MR. ELAM: Do mediums generally wear black? A. No.
- Q. Not always? A. No.
- Q. Did Mrs. Duncan wear black on the occasions on which you saw her? A. Yes.
- Q. Do they generally have a dark curtain at the back of the cabinet? A. Only so far as I know, for materialisations.
- Q. If they do them? A. Yes.
- Q. And curtains across? A. So far as I know. I have only seen Mrs. Duncan.
- Q. Did you on all those occasions see any white substance? A. The ectoplasm?
- Q. Call it what you like. Did you? A. Yes, I have seen it.
- Q. Was it round your husband? A. Certainly.
- THE RECORDER: You do not know who originated this term "ectoplasm", I suppose? A. I am afraid I do not.
- MR. ELAM: Did your husband seem to be enveloped in this white substance right down to the ground? A. Yes.
- Q. Could you see his feet? A. I am afraid I didn't notice; I was looking at his face.
- Q. Could you see the stick? A. No, not when he came out.
- Q. Or his side? A. His side?
- Q. Yes, his side. A. He was absolutely full-face to me.
- Q. Did you at any time see his side? A. No, he walked straight up to me.
- Q. When he went away, did he turn round? A. No.
- Q. Did he seem to go backwards? A. He went backwards and then went through.
- Q. You never saw his back at any time? A. No.

Re-examined by MR. LOSEBY.

- Q. You have not read any text-books, I suppose, on the subject of materialisation? A. Yes, I have read a few, but I am not intelligent enough—
- Q. Have you read Sir William Crookes on materialisation? A. No.
- Q. In the particular light that you were working with on the 14th, what would you say would be the furthest for a detailed close examination of a face? Up to what distance would you say that you could make a really good examination? A. Sitting in the front row.
- Q. You think anywhere in the front row you could see quite clearly? A. Speaking for myself, yes.
- Q. Have you got good eyesight? A. No, I have not.

DORA TULLY JOPLING, Sworn.

Examined by MR. LOSEBY.

- Q. Are you Mrs. Jopling? A. Yes.
- Q. Is your name Mrs. D. T. Jopling? A. Yes.
- Q. What are your Christian names? A. Dora Tully.
- Q. Of Allsworth Manor, Emsworth, Hampshire? A. Yes.
- Q. Did you attend a sitting with Mrs. Homer at Copnor Road, Portsmouth, on Friday the 14th of January? A. Yes.
- Q. Did you pay 12s. 6d.? A. I did.
- Q. Do you remember on that occasion a materialisation or what purported to be a materialisation for a Mr. Worth, a naval officer? A. Yes, I remember.

- Q. As far as you can remember will you tell us what happened, starting with Albert the guide announcing someone for Mr. Worth. A. Yes, he said, "I have a spirit form here for the gentleman on my left, and will you ask her to come forward?" He did so and he said, "Is that an aunt of mine?" and she turned round and said, "You are acting rather strangely, are you not?"
- Q. What happened then? A. Then she dematerialised.
- Q. What do you mean by dematerialised? A. Simply went straight out as though she was sinking down through the floor, not upwards but straight downwards.
- Q. Had she come far out from the curtains? A. Not very far; it was hard to see because of the position that I was in.
- Q. Was there anything noticeable about her manner when she said, "You are acting strangely," or words to that effect? A. Not that I saw.
- Q. That is incident No. 1. Do you remember another incident? What happened then? A. Then Albert said, "I have another spirit form here," but he did not come forward. He said it was a sailor and Lieutenant Worth said, "I know no sailor," and Albert replied, "There is no rank and file in the spirit world."
- Q. Did the sailor come out? A. No.
- Q. Was there then a third incident? A. Yes.
- Q. I do not think you need trouble about that. Did any children or what purported to be a child appear on this occasion? A. Yes, a small child came out.
- Q. How old would you say the child was? A. I should say about three.
- Q. Did it come far out? A. Quite a long way out.
- Q. What was the appearance of it? A. That was rather difficult, because it came to the other side of me and I was not in a very good position to see.
- Q. Could you hear its voice? A. Yes.
- Q. What was the voice like? A. It was a child's voice, a very young child.
- Q. Have you heard Mrs. Duncan speak? Could you observe any similarity in that voice? A. None whatsoever.
- Q. Is it a difficult voice to imitate, a child's voice? A. Very difficult.
- Q. You have spoken of the guide and the guide's voice. Was there anything distinctive in the guide's voice? A. He spoke with a very refined Oxford accent.
- Q. Any similarity at all with Mrs. Duncan's voice? A. None whatever.
- Q. A difficult or an easy voice for a skilled elocutionist to imitate, a woman elocutionist? A. Very difficult.
- Q. I do not want to ask a foolish question, but as regards that child's form that you saw, could you imagine how that could be simulated by Mrs. Duncan? A. It is quite impossible.
- Q. You have sat with Mrs. Duncan upon previous occasions, have you not? A. Yes.
- Q. You did not get any materialisation personally to yourself on the 14th, did you? A. No, no one at all.
- Q. But upon other occasions have you been more fortunate? A. Yes.
- Q. Do you really mean—do you think it is a question of being fortunate to get a materialisation? A. Yes, I do; I was very lucky, I think, in some ways.
- Q. Will you be good enough to tell my Lord and the jury what it was. Where was it? A. It was a friend's house near Havant.
- Q. Tell us the year. A. April the 17th, 1942.
- Q. Who was the person in whose house it was? Was it somebody whom you knew and could trust?
- THE RECORDER: Are you sure it was 1942 or is the date rather hazy? A. No, I am almost certain it was 1942.

- MR. LOSEBY: Was it somebody whom you knew and could trust? A. Yes, I knew them very well indeed.
- Q. I do not know the name of your friend. Was it somebody you knew and could trust? A. Yes.
- Q. Was the sitting a purely private one? A. There were about fifteen.
- Q. Collected by your friend? A. Yes.
- Q. Free? A. Ten shillings.
- Q. What happened? What did you observe particularly interesting? A. My husband materialised; he came right out of the curtain and he spoke to me.
- Q. How close to you did he come? A. Within two feet of me; I was in the front row.
- THE RECORDER: Was that before or after Mrs. Tremlett's materialisation? A. Mine was before.
- MR. LOSEBY: Upon that occasion were the forms coming out fairly fast one after the other, or were there long intervals? A. Quite often.
- Q. Is that one of those rather striking features of Mrs. Duncan's materialisations?
- THE RECORDER: I am not shutting this out.
- MR. LOSEBY: The slowness or otherwise, I was going to say.
- THE RECORDER: Not too much licence, Mr. Loseby. You will appreciate what I am thinking of.
- MR. LOSEBY: I see the importance.
- THE RECORDER: Your husband materialised within two feet. A. Yes.
- Q. And you were able to distinguish his features? A. Yes, quite distinctly. I noticed the way he parted his hair and the colour of his eyes.
- THE RECORDER: I only intervened for brevity's sake, Mr. Loseby; that is all.
- MR. LOSEBY: Yes, my Lord. (*To the witness*) Had you any doubt of any kind about it being your husband? A. None whatever.
- Q. And the voice? A. Was his.
- Q. It was the voice of your husband, was it? A. Exactly.
- Q. Was there any peculiarity in his voice? A. No, there was not.
- Q. An English voice? A. Yes.
- Q. Cultured or otherwise? A. Cultured.
- Q. Cultured English? A. Yes.
- Q. Was there anything else upon that particular day—anybody you recognised? A. Yes, I had a friend who came.
- Q. Tell my Lord and the members of the jury about that. A. It was a very wonderful thing. We were talking about this friend of mine the night before and I got out a photograph of her. We were talking about the tragic circumstances of it all and we put the photograph away and did not think anything more about it and then went to Mrs. Duncan the next day, and she materialised.
- Q. The friend in the photograph? A. She just came looking exactly the same as her photograph, her dark eyes and her dark hair.
- Q. What about the voice? A. It was her voice.
- Q. What about the figure? A. Slim, as she always was.
- Q. Was there anything particularly distinctive that you remember? A. She lifted her hand and put it over her head just like that, showing the most beautiful robes.
- Q. As far as you could tell, could Mrs. Duncan have known anything about your friend? A. No, not possibly; she was only a friend of mine. We had a room together and no one could have heard anything of her or about that photograph.
- Q. Or as far as you could tell about your husband? A. No, certainly not.
- Q. Upon how many previous occasions had you met Mrs. Duncan? A. I have seen Mrs. Duncan—
- Q. Before that? A. Twice.

Q. You had met her twice before ? A. Yes.

THE RECORDER: At seances? A. Yes.

Cross-examined by MR. ELAM.

Q. Do you live with Mrs. Tremlett at Allsworth Manor? A. Yes.

Q. Have you lived together there for some years? A. Only for the last eighteen months.

Q. Does anyone else live with you? A. My son.

Q. Anyone else? A. No.

Q. Did anything else strike you about Albert's voice except the Oxford accent? A. No.

Q. Would you agree that he had an Australian accent which is very definite? A. Well, I don't know Australia.

Q. What would you say? Just refined English, rather like the B.B.C.? A. Not quite like that, but refined English.

Q. Not rough or harsh at all? A. No.

Q. Tell me about the little child of three. When she appeared, did she walk or run or hop? A. She ran in and out.

Q. When she ran out, did you see her back? A. No, not from where I was sitting.

Q. Did you see the side of her? A. I cannot say I did.

Q. She ran in and out from where? A. From the side of the curtain, not the centre.

Q. What did the little child say?

THE RECORDER: It is just as easy to come out of the side of the curtain as out of the centre, is it? A. Yes, just. She sang.

MR. ELAM: What? A. "A little piggy went to market."

Q. All of it? A. No.

Q. How much? A. I really can't remember.

Q. Several lines or several verses? A. One verse, as far as I can remember.

Q. You are sure of that anyhow? A. Absolutely.

Q. Did she get it right? A. Yes, as far as I could say.

Q. On the 14th did you see the rabbit? A. Yes.

THE RECORDER: We have not heard about a rabbit yet.

MR. ELAM: We have not heard about a rabbit yet. A. No, I didn't see a rabbit; I saw a cat.

Q. Did it meow? A. Yes.

Q. How many times? A. Once.

Q. Could you see from what direction the meow emanated? A. No.

Q. Don't you remember the rabbit? A. No.

Q. Not at all? A. No.

Q. Or the policeman's helmet? A. Yes, I remember the policeman's helmet.

Q. Could you see that all right? A. Quite distinctly.

Q. Do you remember the colour of it? A. It was white with a coloured band.

Q. One band or more? A. It looked like one broad band.

Q. Did you see a parrot? A. Yes.

Q. What colour was that? A. I could not tell you the colour.

Q. It was not a green parrot, was it? A. No.

Q. What did the parrot say? A. "Pretty Polly."

Q. Could you see its feathers? A. No.

Q. Just the outline? A. Yes.

Q. Did it move at all? A. I could not say.

Q. How long have you been interested in this sort of thing? A. All my life.

Q. Was your husband interested in it also when he was alive? A. Yes.

Q. Before you met him, do you know? A. Always.

Q. What was he in life? A. He was a farmer.

- Q. And you had this interest in common between you, had you? A. Yes, we had.
- THE RECORDER: How long ago has he been deceased? A. Four years in August.
- MR. ELAM: What were the tragic circumstances—can you tell us in a sentence—about the friend in the photograph? A. She committed suicide.
- Q. Was that long before? A. Twenty years ago.
- THE RECORDER: You say she appeared in beautiful robes? A. She did.
- Q. Any particular colour? A. The most beautiful white.

Re-examined by MR. LOSEBY.

- Q. There is one thing I have not quite got. Were you able to observe the policeman's helmet fairly closely? A. No, not from where I was; you see, I was in the second row.
- Q. Did you see the band on it? A. Yes.
- Q. And the colour? A. It looked dark.
- Q. A dark colour? A. Yes.
- Q. And the main body of it, what colour? A. The helmet itself was white.
- Q. English or otherwise? A. Oh no, I should say otherwise.

ELLEN BARNES, Sworn.

Examined by MR. PEDLER.

- Q. Is your name Ellen Barnes? A. Yes.
- Q. Do you live at 27 Winton Road, Copnor, and are you the wife of Captain Barnes, retired, of the Indian Army? A. Yes.
- Q. On Friday the 14th of January did you attend a seance at 301 Copnor Road? A. Yes.
- Q. Where were you sitting? A. I was sitting on the extreme left.
- Q. Against the window seat? A. Yes, next to the window.
- Q. The first chair? A. Yes.
- Q. Come right to the materialisation to yourself, Mrs. Barnes. Who was it who appeared to you? A. My own father.
- Q. Did he appear through the curtains? A. Yes, through the centre.
- Q. Did you see him when he appeared? A. Yes.
- Q. Have you got good sight or are you rather shortsighted? A. Short-sighted.
- Q. From where you were sitting, how far did your father appear to you? A foot?

MR. MAUDE (*to Mr. Pedler*): Please don't lead.

THE WITNESS: About one yard.

MR. MAUDE: My Lord, I hope my learned friend will ask her to tell her own story.

THE RECORDER: I think perhaps it was his anxiety to save time.

MR. PEDLER: Did you see his features? A. Yes, the whole body.

Q. Did you see anything on his head? A. Yes, he had a helmet on.

Q. Did you see the helmet? A. Yes.

Q. Did you see the colour? A. Yes, it was a white tropical helmet with a red band, which of course appeared black.

Q. You saw that yourself? A. Yes.

Q. Did he say anything? A. I was the first to speak to him and he answered, He said, "Oh, you were always the same; you did all the talking."

Q. Did you do all the talking? A. Yes, I did all the talking and he answered by saying, "Oh, you were always the same; you did all the talking."

Q. Before he disappeared what did he say? A. He said that he had little Shirley, he had brought little Shirley with him, my granddaughter, and with that he disappeared and little Shirley appeared.

- Q. When you say "little Shirley", what relation is she to you? A. She is my granddaughter.
- Q. Did she come out? A. On the extreme left side of the curtain.
- Q. How near did she come to you? A. Very, very close, about a foot away.
- Q. Did she touch you or did you touch her? A. She touched me.
- Q. What part of you did she touch? A. She caught my left hand, took it up and said, "Where is granfer?" I said, "He is at home." She said, "He used to say to me 'This little piggy went to market; this little piggy stayed at home; this little piggy went for a walk'." So I said, "Shirley, I wish your mother was here to see you," and with that she looked on the ground and disappeared.
- Q. What sort of voice did Shirley have? A. A very babyish voice.
- Q. Did you see the features at all? A. I am shortsighted, so much so that I could not see the face.
- Q. What was your father? A. A policeman.
- Q. Where? A. In India.
- Q. What part? A. In the Madras police.
- Q. Do they have different colours? A. They wear a white uniform with a dark red puggaree.

Cross-examined by MR. MAUDE.

- Q. Was he in the Indian Police when he died? A. No.
- Q. How many years before his death was it that he retired? A. I wouldn't remember that.
- Q. Had he been retired about twenty years? A. From fifteen to twenty years.
- Q. Fifteen to twenty? A. Yes, he was a police pensioner.
- THE RECORDER: Did he die out there? A. Yes, he died in India.
- MR. MAUDE: Were you there with him when he died? A. Yes.
- Q. Did he go on wearing a policeman's helmet after his resignation? A. No.
- Q. Had you seen photographs of the helmet? A. Well, I lived with him there and I actually know the helmet.
- Q. You knew his helmet, did you? A. Yes.
- Q. How tall was Shirley? A. About three feet tall.
- Q. In white? A. Yes.
- Q. Could you see her little feet? A. No, she had on a long robe that covered her feet.
- Q. Did it more than cover her feet? A. No.
- Q. It just got to the ground, did it? A. Yes.
- Q. Have you ever seen the feet of any of the spirit friends? A. No.
- Q. You have never seen any? A. No.
- Q. Were you going to expect your father in his helmet? A. Yes, because a spirit voice said to me, "Your father is coming."
- Q. And you expected he would come in his helmet? A. No; the spirit voice said, "Your father is coming," and Albert told me, "There is a policeman coming for someone on the extreme left."
- Q. Then did your father say, "Wait a moment while I fetch my helmet"? A. My father said, "I have forgotten my helmet," so he went back and came out a second time.
- Q. So, when you were waiting for somebody to appear the second time, you were expecting somebody with a helmet on? A. Yes.
- Q. Could you see anything of his features? A. No, I could not because of my short sight.
- Q. Do you wear spectacles? A. No.
- THE RECORDER: Had you been to this room before for services? A. This was the third seance I went to.
- Q. On the 14th? Before this series of seances had you attended this church? A. Yes.

- Q. Did you know Mrs. Homer? A. Yes, my Lord.
 Q. Would it be right to describe you as a Spiritualist? A. Yes.
 Q. Had you paid on this occasion? A. Yes, I paid 12s. 6d.

ANNE POTTER, *Sworn.*

Examined by MR. LOSEBY.

- Q. Is your name Anne Potter? A. Yes.
 Q. Do you live at St. John's, Portsmouth? A. Yes.
 Q. Are you the wife of a retired Army officer? A. Correct, sir.
 Q. Did you attend a sitting with Mrs. Duncan on the 18th of January of this year? A. Yes, sir.
 Q. Were there the usual introductions? A. Yes.
 Q. Was there a materialisation in which you were interested? A. Very much so; I was very interested.
 Q. What was the first one? There were several? A. The very first one to come through was my mother and the guide gave a very clear description.
 Q. We have not time for that, Mrs. Potter. How old was your mother? A. Seventy-eight.
 Q. When she died? A. Yes.
 Q. Did she come far out of the cabinet? A. Oh yes, she came out to have a look at me.

THE RECORDER: How long ago did she die? A. In 1925.

MR. LOSEBY: Why do you say it was your mother? A. I could not mistake her for this reason. My mother was a very rare exception. She had very dark hair and not a single grey hair in her head when she died, and a very characteristic spot which she had was a bald spot an inch down from the top of her head. I saw that distinctly when I was looking at my mother and as she dematerialised.

Q. How near did you get to your mother? A. As close as I am to this gentleman here.

THE RECORDER: And you recognised her by her features? A. Yes, and her voice.

Q. She was just as you remember her, was she? A. Absolutely, no doubt whatever.

MR. LOSEBY: And her voice was distinctive? A. Yes, I could not miss that.

THE RECORDER: She had not aged at all in the last twenty years? A. No, my mother wore very well, in fact looked young for her years.

Q. She died twenty years ago? A. Not exactly twenty.

Q. She died in 1925? A. That is nineteen years; it is not twenty years yet, is it?

Q. There was no change in her in that time; she was exactly as you remember her? A. Exactly as I remember her.

MR. LOSEBY: Was there any other materialisation which interested you? A. Yes, my father came through also.

Q. How long after your father did your mother come? A. My mother came first and then two or three others appeared for other people who were there, and then my father came through and I recognised him from the description which Albert gave of his passing. Apart from seeing him, he gave me a correct description of how my father had passed over.

Q. That is done in almost every case, is it not? A. Yes.

Q. A description of the last bodily condition? A. Correct.

Q. Then your father came to you? A. Yes.

Q. How far out of the cabinet did he come? A. He walked forward and he looked round to satisfy himself, as he said, that everything they said over there was true; and after he looked round there including myself, he said,

"I am quite satisfied that all that they say over there is true." Those were his exact words.

Q. May I ask you something? A. Certainly.

Q. You say it was your father; how do you know it was your father? A. Strictly by a very prominent feature which he had, by his appearance and his hair which was white hair, and his voice which was most distinctive: for a Highlander of Scotland it was rather low.

Q. Are you sure it was not Glasgow? A. No, and he had a large Grecian nose.

THE RECORDER: Don't be too hard on Glasgow. A. No, I like Glasgow, but it is a different intonation to the Highlands.

Q. When did he die? A. In 1917.

Q. And you recognised your father? A. Yes.

Q. Did you see any change? A. None at all, my Lord.

Q. He was just as you remember him? A. Exactly.

MR. LOSEBY: I am afraid I did Mrs. Duncan an injustice. Are you sure it was not the Edinburgh accent? A. No, not Edinburgh; I know that too well myself.

Q. Are you quite sure that the person you took for your mother— A. Was my mother without any doubt.

Q. And no one else? A. No.

Q. Was there any other experience you had? A. Yes, I had another experience which I did not expect or look for. A very dear friend of mine passed over in India in January, 1913.

Q. A man or a woman? A. A lady friend who died in childbirth. Four nights previous to going to that seance I was talking to some friends about her and told them how she passed over. This little lady came through and from the description which Albert gave I recognised my friend and he said, "Would the lady who is this lady's friend speak?"

Q. Was she large in stature or small. A. Very small; in fact I have got a photograph with me if you would like to see it.

Q. Yes. A. Would you kindly pass that for me.

Q. Who is this? A. This is the friend who died in India.

Q. Small in stature—slim or otherwise? A. Slim, never weighed more than seven stone at any time—a very slight woman.

Q. Did you see her well enough to know that this figure was not ten stone?

THE RECORDER: She said she was very slight. A. She never weighed more than seven stone.

MR. LOSEBY: What about the voice of this individual? A. It was beautiful; it was the voice of my friend.

Q. A cultured voice? A. Yes.

Q. She was Scotch, I presume? A. She was Scotch, but that makes no difference. We can still be polite even if we are Scotch.

Q. Was there any other identification or anything of interest to you on that occasion? A. This lady friend materialised carrying a little baby, holding a baby in her arms and somebody in the audience said, "Is that you, Lily?" My friend said, "Oh no, that is not the voice of my friend." I said, "My dear Mrs. Loder, is that you?" "Oh, my dear," she said.

Q. Did you recognise her? A. I did; before I saw her I recognised her voice. She walked forward and then told me several things that no one else in that room could know except me, because this happened in India, not in this country.

Q. What about recognition by eyesight? A. She said she would like to look into my face and she walked right out of the cabinet which really is not a cabinet; she looked down into my face and said, "My dear, it is you. Oh, what joy!" And then she asked me to hold her hand, which I did.

Q. How close did you get your face to her face? A. So close—

- Q. Was it the face of your friend? A. Definitely; I have no doubt about that.
- Q. Was the voice the voice of your friend? A. Yes, sir.
- Q. Have you any doubt of any kind about it? A. None whatever.
- Q. Had you any more interesting experiences that day? A. That was all I had that afternoon.
- THE RECORDER: How much had you paid? A. I paid 12s. 6d.; I would have paid £100 to see that.

Cross-examined by MR. MAUDE.

- Q. You heard Mr. Loseby say it was not an Edinburgh accent? A. Yes.
- Q. Do you know that Mrs. Duncan had been in Edinburgh for some time? A. Yes.
- Q. Was it like a Perthshire accent? A. No, Perthshire is not Edinburgh.
- Q. Was the accent of your friend like the Perthshire accent? A. No, not at all.
- Q. Do you know where Mrs. Duncan comes from? A. No, not in reality; from what Mr. Loseby has said this afternoon, Glasgow.
- Q. You have no idea of where she comes from? A. No.
- Q. Where did your friend come from? A. Edinburgh, as far as I know; that is where she was born.
- Q. I thought it was a Highland accent? A. No, that was my father.
- Q. Where did he come from? A. Inverness.
- Q. Is that different from the Perthshire accent? A. Yes, they talk very correctly in Inverness.
- Q. Can you imitate the difference? A. No, I would not profess to imitate it.
- Q. Is it very difficult? A. No, but I would require a man's voice to imitate my father.
- Q. Do you know that Mrs. Duncan was born at Callander in Perthshire? A. No.
- Q. Did you tell the Court that, before you went to the seance, you were telling some friends how your friend had passed over? A. Yes.
- Q. Did you give them all the details? A. No, I was telling them about that dear little friend of mine who passed over in India when her baby was born, and oddly enough I dreamed the whole thing before it did happen.
- THE RECORDER: Had you booked your seat by that time? A. Yes.
- Q. And you knew you were going to the seance? A. Yes.
- Q. Who were the friends to whom you spoke? A. A Mrs. Shepherd and a Mrs. Trott; but Mrs. Trott did not go, although Mrs. Shepherd did go.
- Q. Are they regular visitors to the seances? A. No, neither of them.
- Q. Did you know Mrs. Homer? A. Yes.
- Q. How did you come to know her? A. As being interested in Spiritualism.
- Q. You are one of the people who attend this place, are you? A. I do not go regularly, but I go as often as I can go.
- MR. MAUDE: How long have you been going there? A. Two years.
- Q. When did you become really interested in this? A. My father came to me in a dream after my eldest son was reported missing in the Air Force.
- Q. When was that? A. Two years ago, and it was his guidance in a dream which led me to the Spiritualist Church, and I then found out what I had been seeking all my life in fact.
- Q. When did you first see a materialisation? A. Only on January 18th.
- Q. Did it ever appear to you that it might be a fake? A. No, not if you have the faith; definitely it is a gift to those who have it from God.

Re-examined by MR. LOSEBY.

- Q. Under any circumstances, quite apart from faith, have you any doubt of any kind about the people who came to you? A. None; oh, none.

- THE RECORDER: What is the necessity for the guide? *A.* I am not quite sufficiently advanced in Spiritualism to answer that question without studying it. I should like to be a little more technically advised in Spiritualism than I am. I am at the moment a seeker.
- Q.* You cannot help me about that? *A.* No, except the guide has to advise you and help you in all matters appertaining to the other world, and even now I can hear my own mother talking to me, and that is from the other world. When we had a raid the other night—
- Q.* Don't run on. *A.* A guide is a person who is selected—
- Q.* Who selects him? *A.* I should imagine someone in the spirit world.
- Q.* A guide is told off to attend on a medium? *A.* Yes, I am sure of that.
- Q.* Is he given a name? *A.* Yes.
- Q.* Only one? *A.* As far as I know. I have got a guide too; it is a quaint name, but I still believe him to be a guide because he is useful at times.
- Q.* Are you a medium? *A.* Yes, I have been psychic for thirty years.
- Q.* Have you got a guide? *A.* Yes.
- Q.* What is his name? *A.* Rather a quaint one—Ram Beida.
- Q.* What nationality is that? *A.* I should say he is a Red Indian.
- Q.* Have you ever seen him? *A.* Yes, I have seen him; he had appeared before me definitely with the face and features of a Red Indian.

HORACE LLEWELLYN CLAYTON, *Sworn.*

Examined by MR. PEDLER.

- Q.* Are you Marine Horace Llewellyn Clayton? *A.* Yes.
- Q.* Do you live at Southsea? *A.* Yes.
- Q.* How many seances have you attended with Mrs. Duncan? *A.* Three.
- Q.* All at Copnor Road? *A.* Yes.
- Q.* Do you remember the 17th of January? *A.* Yes, I do.
- Q.* Was there some incident about a torch? *A.* Yes.
- Q.* Explain what you saw when the spirit friend appeared and what happened to your torch. *A.* Albert the guide—you are acquainted with Albert by now, are you not?—intimated from the cabinet that there was somebody for the soldier. I took that to be me because I was the only one in khaki there. He said, "Will you ask her out?" I did ask the lady out. I said, "Come out; I would like to see you." With that the curtains parted and the figure of a lady came out of the cabinet to about the centre of the room and stood immediately in front of me. I was in the second row and I saw the lady. She stood there and with that she produced my torch and said, "I have been all through your pockets," and she produced the torch and held it in her hand, flicked it on and off, shone it on her face, so that I could see her face very clearly. I said, "Are you my grandmother?" I said that because I thought she was about Granny's age and about her height. I was not quite sure of the features and I wanted to be sure. Granny said, "Yes." With that she flicked the torch on and off again, shone it around the room, shone it on her face, and I was rather excited. I said, "Darling, will you kiss me before you go?" I said that because I wanted to make contact with a materialised spirit. With that Granny took the fingers of my right hand in her left, raised my hand to her lips and kissed it. I felt the contact very clearly. It was not anything like butter muslin; it was something solid. The temperature of the hand was a little colder than mine. The temperature of the lip, I should say, was slightly warm. The torch was handed back to me and she went towards the cabinet and departed into the floor.
- Q.* You actually touched it? *A.* I actually touched the spirit form.
- Q.* How near was the figure to you when you were looking at her? *A.* No more than fifteen inches.

- Q.* Was it Mrs. Duncan? *A.* It certainly was not Mrs. Duncan.
- Q.* Are you quite sure? *A.* I am positive it could not have been Mrs. Duncan.
- Q.* What about the size of the form? *A.* The lady was slightly built, the height of Mrs. Duncan as far as I can say, very, very much slimmer, a very beautiful face with grey hair just on the front.
- Q.* And she let you have your torch back again? *A.* She gave it back to me, sir.
- Q.* Was there another materialisation to you on another occasion? *A.* Yes, at an earlier seance.
- THE RECORDER: You do not know what date this was, I suppose? *A.* I can't remember.
- MR. PEDLER: Was it in the series of thirteen seances? *A.* In a series of seances.
- THE RECORDER: Last January? *A.* Yes, my Lord.
- MR. PEDLER: It could not have been before the 12th, could it? *A.* Are you talking about this latest series?
- Q.* I am talking about the first seance you attended? *A.* That was about a year before this series.
- Q.* One of Mrs. Duncan's? *A.* Yes.
- Q.* At the same place? *A.* At the same place, yes.
- MR. PEDLER: What materialised to you then? *A.* My grandfather on my mother's side.
- Q.* Were you sitting in the same position? *A.* No, I was farther away from the cabinet, that is, about eight feet away in the second row.
- Q.* What did the guide say and what did you see? *A.* Albert indicated again that there was someone for the soldier in the second row near the door. That was precisely where I was standing. With that a figure emerged not from the centre of the two curtains, from the side nearest to the wall and came over right in front of where I was standing, which would be about eight feet from the cabinet. I did not have any difficulty in recognising my grandfather. When he was alive we were very, very great friends. I had as a child lived with him right up to the time he died.
- Q.* Was there any special feature about him which would distinguish him from anybody else? *A.* Yes, his moustache was very, very prominent.
- Q.* What colour was the moustache? *A.* Almost a gingery colour, a sort of rusty, gingery colour.
- Q.* What about his build? *A.* He was rather a well-built man, but on the shortish side.
- Q.* What about his walk? *A.* He walked to me from the cabinet and it was his old shambling gait. It was not an old man's walk by any means, but he was a smartish looking man.
- THE RECORDER: What was he wearing? *A.* His features were manifest, but he had this shroud.
- Q.* A white shroud? *A.* A white shroud, yes.
- MR. PEDLER: What did you say to your grandfather? *A.* I said, "Hullo, Grandad, how are you?"
- Q.* What did he reply? *A.* He said, "Fine," just as he would have done when he was alive.
- Q.* Did you recognise his voice? *A.* I recognised his voice.
- Q.* How long ago is it since your grandfather died? *A.* Twelve years about.
- Q.* And you recognised him? *A.* Yes, definitely.
- Q.* Did you say anything else to him? *A.* I asked about my grandmother too—she was also dead—I said, "Where is Grandma?" And he said, "She is behind me somewhere." With that he turned round and walked towards the cabinet and, just before he got to the cabinet, he disappeared into the floor.
- Q.* Did your grandmother materialise? *A.* No, she did not.

- Q. Was there any possibility of your being mistaken and this being Mrs. Duncan? A. No.
- Q. Are you quite sure about that? A. I am positive.
- THE RECORDER: Are you a regular attendant at this place? A. Yes, my Lord.
- MR. PEDLER: Did you see the back of the figure? A. When it went towards the cabinet.
- Q. You saw the back of the figure? A. Yes, sir.
- Q. Was it walking back? A. It was walking back, sir.
- Q. Did you on other occasions see the space between the figure and the cabinet? A. Yes, definitely.
- Q. Did you see any connecting link of any kind between the figure and the cabinet? A. No, sir.

Cross-examined by MR. ELAM.

- Q. What was the back of the figure like? A. Just a white flimsy substance; that is all I could see.
- Q. Had it got any sort of edge to it? A. No, sir.
- Q. Did it come down to a sort of point? A. No.
- Q. How did it end? A. I could not swear to that. I would not take notice of that at that time; I was not interested in anything of that kind. I was so interested at seeing my folk.
- Q. So mundane—is that the word? A. Mundane, if you like, sir.
- Q. Did you see the feet? A. No, sir, I am afraid I was not looking at the feet.
- Q. You were more interested in the face, were you? A. Yes.
- Q. Had you left your torch in your overcoat below? A. No, it was in my overcoat pocket on the landing outside.
- Q. Had you taken it off when you went in? A. Yes.
- Q. Were other people's coats left there? A. Yes.
- Q. Where were you sitting? A. In the middle of the second row.
- Q. What happened to the torch after it was flashed on you? A. It was given back to me.
- Q. Whom by? A. By the spirit lady.
- Q. What was the hand like that was holding the torch? A. A very beautiful lady's hand.
- Q. Could you see the nails? A. Yes.
- Q. Were they coloured or pale? A. I could not remember.
- Q. What was beyond the hand? First the torch and then the hand—what then? A. I could not say.
- Q. Do you remember Mr. Burrell being there? Do you know him? A. I know Mr. Burrell, yes.
- Q. He referred to you as a marine in khaki: is that right? A. That is so, sir.
- Q. He said that the hand that was holding the torch was covered with a cloth or a misty affair. Do you agree with that? A. No, sir.
- Q. What is wrong with it? A. I say the hand was the hand of a lady and, if it was covered with a cloth, I should not be able to see that.
- Q. Was there a misty affair at the back of it? A. I could not say.
- Q. So you certainly do not agree with Mr. Burrell? A. I do not.
- Q. Did you know he had been a medium? A. I did not know Mr. Burrell very well until this happened.
- Q. Do you remember Mr. Lock being there? A. I don't know Mr. Lock. There were several people there I don't know.
- Q. Do you remember a man there on the 17th whose sister Sally was supposed to speak to him? A. Not very clearly.
- Q. Do you remember something of that sort? A. Yes.
- Q. Do you remember some man shaking hands with Sister Sally? A. Yes, sir.

- Q. He told the Court he was quite certain it was Mrs. Duncan. What do you say to that? A. I would be quite certain it was not Mrs. Duncan.
- Q. So you do not agree with him any more than you agreed with Mr. Burrell? A. Definitely, sir.
- Q. I would like your impression of Albert's voice. Can you help me about that? A. A very cultured voice.
- Q. Can you remember the accent? A. It cannot be described as an Oxford accent, but I should say it was very good English.
- Q. Anything at all Colonial about it? A. It is not apparent.
- Q. How big was the hand that you shook hands with? A. The average size for a lady, sir.
- Q. Do you remember anybody being called "Pinkie" on the 17th? A. No, sir.
- Q. How far away from the cabinet did the white seem to go into the floor? A. Just about a foot in front of the curtain.
- Q. Did it seem to slip down on to the floor? A. Yes.
- Q. And then disappear? A. Yes.
- Q. Were the curtains drawn at this time? A. They were open sometimes when the form emerged.
- Q. When the form was out, would the curtains be close together? A. Yes.
- THE RECORDER: The form did not pass through the curtains? A. The curtain opened.
- MR. ELAM: Did you see the curtains open when the form went back into the cabinet? A. No, sir.
- Q. Only when it came out? A. Yes.
- Q. How long have you been interested in this sort of thing, Marine Clayton? A. About six years, sir.
- Q. Are you married? A. Yes.
- Q. Is your wife keen on it? A. Not so keen as I am.
- Q. Have you tried to persuade her? A. No.
- Q. Do you know Mr. and Mrs. Homer? A. Yes.
- Q. How long have you known them? A. About eighteen months.
- Q. Mrs. Brown? A. I know Mrs. Brown through her visits to Portsmouth.
- Q. Did she generally come with Mrs. Duncan? A. Not on every occasion.
- Q. Do you know where Mrs. Brown came from? A. Not at the time.
- Q. From Sunderland, is it not? A. I think she comes from County Durham.
- Q. They are not very far away, are they? A. No.
- THE RECORDER: Is it the ambition of a true Spiritualist to observe, if possible, some manifestation of a spirit? A. It is the aim of everyone interested, I should say, my Lord.
- Q. That is the purpose of Spiritualism, is it, to try and contact departed spirits? A. Not necessarily; I should say the purpose of Spiritualism is to prove the after-life.
- Q. In other words, it is trying to prove the central feature of the Christian belief? A. Yes.
- Q. Not content to leave it where it is, but you want to prove it? A. We want to help those who do not understand it like we do.

ANNIE COULCHER, *Sworn.*

Examined by MR. LOSEBY.

- Q. Is your name Annie Coulcher? A. Yes.
- Q. Do you live at 253 Lake Road, Portsmouth? A. Yes.
- THE RECORDER: What is your husband? A. We have a business.
- Q. Do you mean a shop in Portsmouth? A. Yes.
- MR. LOSEBY: Have you attended three sittings with Mrs. Duncan? A. Yes.
- Q. In September, 1943, and January 12th, 1944, and January 17th, 1944? A. Yes.

Q. On January 12th, 1944, was there a materialisation interesting to you personally? A. Yes.

Q. What happened upon that occasion, January 12th? A. My cousin came to me. Albert described her first of all to me—her health condition before passing, which was very distressing, in a hospital in Kent. The description was perfect, and I knew it was my cousin. He asked me to call her out.

Q. Did you call her out? A. Yes.

Q. Then did someone come out? A. She came out.

Q. Was it a lady or a gentleman? A. A lady.

Q. How close to you did she come? A. Within about two or three feet.

Q. Who was it? A. My cousin.

Q. Why do you say it was your cousin? A. Because I saw her. Every feature was hers, and her voice.

THE RECORDER: When did she die? A. Some years previously. I could not tell you the exact year now.

Q. Five years ago? A. Longer than that.

Q. Had she altered or changed in any way? A. She looked younger.

MR. LOSEBY: Had you any doubt of any kind about your cousin? A. No, not at all.

Q. What sized woman was she, and what was her approximate age? A. She was twenty-four or twenty-five when she passed.

Q. Was she big or small? A. Taller than myself, and more slender.

Q. Had she any particular characteristic that you noticed? A. With her, do you mean?

Q. Yes. A. She was carrying what appeared to be a torch in her right hand.

Q. Many people carry torches. Why do you say it was your cousin? A. Well, it actually was her. Her voice was so distinct.

Q. Have you had anybody else come to you at Mrs. Duncan's sittings? A. Yes, my mother.

THE RECORDER: Which sitting was that? A. On the 17th, I think it was.

MR. LOSEBY: How close to you did your mother come? A. Really I could have reached her had I wished.

Q. Why do you say it was your mother? A. Because it definitely was my mother.

THE RECORDER: Why did not you reach her? A. It is not the usual custom to touch a materialised person unless they wish themselves first.

Q. You know that, do you? A. Yes.

Q. Because you are a Spiritualist? A. I have had a lot of experience in the last few years. It can be very dangerous to the medium to touch a materialised form. If they wish it, it is all right.

Q. Who has told you that? A. The church I have gone to in Portsmouth. She is a very remarkable teacher. I have gone to her lectures and read many books. I have many friends in the movement who explain things to me.

MR. LOSEBY: In order to be quite sure that you have not made a mistake, what sized woman was your mother? A. Shorter than myself.

Q. What was her build? A. During her life she was rather stout. She looks much younger than at the time of parting.

Q. What about the appearance of her face? A. Exactly the same.

Q. Were there any marked characteristics in her face? A. Only younger looking.

THE RECORDER: Did she tell you where she was? A. Well, I have had many talks with her, and I know she is doing a very great work.

Q. On this or any other occasion did she tell you where she was? A. Where?

Q. Never mind. A. No.

Q. Your mother is dead? A. Yes.

Q. She appears? A. Yes.

- Q. It would seem to be a natural question to ask where she was. A. Well, I know that she is in the spirit world.
- Q. Did you ask her where that is situated? A. Well——
- Q. You did not, apparently? A. No.
- Q. Did she tell you where she was? A. No. She described to me before that she was very happy.
- Q. Did she say what she was doing? A. She said she was doing very useful work.
- Q. What was it? A. Helping the boys that are going over to-day.
- Q. Did she say in what way? A. During her life she did a lot of nursing for other people.
- MR. LOSEBY: How long did she remain in front of you in full materialised form?
- A. It is difficult to say; not very long.
- Q. Could you see her clearly? A. Absolutely clearly.
- Q. Could you hear her voice clearly? A. Yes, distinctly.
- Q. Was there anything distinctive in your mother's voice? A. Her message to me—do you mean that? Her message to me was really a repetition of one given to me in a church about three weeks previously. She has given this to me many times. I was one of the unfortunate people bombed out. Since then her messages have always been that I would be well taken care of; I would not be injured by bombs; and she repeated it that day.
- Q. If it were put to you that it was Mrs. Duncan, what would you say about that? A. Oh no, definitely not.
- THE RECORDER: Did you know Mrs. Homer? A. Yes.
- Q. Do you go to the services at this church? A. I have been on several occasions.
- Q. Did Mrs. Homer know you had been bombed out of your house? A. Yes.

Cross-examined by MR. ELAM.

- Q. Do you know Mrs. Brown? A. I only saw Mrs. Brown once; that was at the seance last time I went.
- Q. Did you ever look at any spirit photographs either at, before, or during the seances? A. Never.
- Q. What was the message given at the church? A. To me?
- Q. I thought you said your mother repeated a message which you had heard in church three weeks previously. A. Yes.
- Q. What was the message? A. That she did not want me to worry; I was not to be nervous; there was nothing for me to be afraid of. "Nothing shall hurt you. The bombs will never hurt you again".
- Q. Had that been taken as a sort of text in the church service? A. Oh, no.
- Q. How do you mean, it was a message given to you three weeks previously? A. The message came to me clairvoyantly.
- Q. Whom was that by? A. The Elder of the church, Mrs. Dring, presumably.
- Q. Were there a lot of people there? A. Quite a number.
- Q. How many, roughly? A. Forty to fifty, I should think. I may be wrong.
- Q. Does she speak out the messages for the recipients? A. Yes.
- THE RECORDER: Does she go into a trance, or look into a bowl? A. No.
- Q. You called her a clairvoyant. A. Yes. I myself am clairvoyant. I am clairaudient.
- Q. Do you use a crystal? A. No; you needn't.
- Q. You do not want that? A. No.
- Q. And this one does not use it? A. No.
- Q. Why cannot you tell yourself, then, if you are yourself clairvoyant? A. I had a mother who in life gave me very much care. Her care would not deteriorate through being in the spirit world. It is simply a matter of proof that you hear these things in different places.



THE OLD BAILEY BEFORE THE "BLITZ"



THE OLD BAILEY AFTER THE "BLITZ"

- Q. I do not see why this person should interfere between you and your mother when you are both clairvoyant. A. Well, I am at the service. I have had many a message come for me from my mother.
- Q. Did the rest of the congregation hear those messages? A. Yes.
- MR. ELAM: Do people come to you as a clairvoyant? A. Yes.
- Q. Is your husband living? A. Yes. He was here this morning.
- Q. He is interested in this, is he not? A. Only through me; he has got interested recently.
- Q. Did you say that your cousin died in childbirth? A. No.
- Q. What did she die of? A. Through shock.
- Q. What sort of shock? May I ask you? A. It is very distressing. Her husband was crushed in a coal mine; he was crushed to the neck, and the shock of it paralysed the whole of the intestines.
- Q. Did your mother say anything else to you on the 17th? A. Yes.
- Q. The sort of thing which generally occurred? A. As you do in life. She said, "God bless you", as she always does, quite naturally.
- Q. Anything else? A. "Give my love to your husband". I said, "We have another shop. Shall we be all right at the shop?" and she said, "Yes, definitely."
- Q. And you felt better after that, did you? A. Well, she had said it to me before. It certainly is very reassuring to you.
- Q. Did you say that one of the spirit figures had a torch? A. My cousin had what we call a spirit light in her hand.
- Q. We have heard about another torch belonging to the marine, Clayton. Tell me about that. A. It was last September. Some of the sitters asked Albert, the guide, if it would be possible to light up the features of a materialised person. He said, "If one of them is agreeable, I will see what I can do". One came. Mrs. Homer had already asked for torches to be given up. Albert said, "Two ladies have torches still in their bags. I would like the one in the second row to give me the one from her bag," which she did. He took it. When the lady materialised he lit up the whole of her features, and she was very beautiful.
- Q. What happened to the torch afterwards? A. Albert held the torch.
- Q. What happened to the torch? A. I suppose he kept it there.
- Q. Did he go back into the curtain? A. Yes.
- Q. That is, between this first figure and your cousin, is it? A. No, this was the first lady he lit up.
- Q. Then there was an interval? A. Yes, and the next was my cousin.
- Q. Did you see the torch going back in the direction of the cabinet? What happened when the figure disappeared? A. The curtains were drawn again. Albert had it inside the cabinet the whole time.
- Q. Could you see it still on in the cabinet? A. No.
- Q. Did it come through the curtains again? A. No.
- Q. What about your cousin? A. She materialised. She had what we term a spirit light—it would appear like a torch—in the right hand.
- Q. Is it a torch? A. No, it is a spirit light, definitely.
- Q. What sort of spirit light?
- THE RECORDER: We will go into that to-morrow. Mr. Loseby, can you give us any help at all with regard to witnesses?
- MR. LOSEBY: My Lord, I shall call no more Portsmouth witnesses.
- THE RECORDER: Any other sort of witnesses?
- MR. LOSEBY: Yes, my Lord.
- THE RECORDER: How many more? I want to know, roughly.
- MR. LOSEBY: It is hard for me to estimate. I had in mind forty to fifty.

FIFTH DAY.—WEDNESDAY, 29TH MARCH, 1944.

ANNIE COULCHER (*Recalled*).*Cross-examination by MR. ELAM continued.*

MR. ELAM: My Lord, could the last answer be read back to me?

THE RECORDER: The last thing I have got is: "At the seance Albert lit up the face of the spirit with a torch". That was in examination in chief.

MR. ELAM: I am much obliged, my Lord. (*To the witness*) You were telling me about the spirit light, do you remember, when my Lord adjourned?
A. Yes.

Q. Could you tell us a little more about that, because we have not heard about that so far, and it may or may not be important? A. It is very interesting.

Q. Can you tell us shortly what it is?

THE RECORDER: This is dealing with an occasion in last year? A. Yes, last September, she brought her own spirit light in her hand.

THE RECORDER: Do you want to bother about what happened last year? A. I asked her to light her features.

MR. ELAM: No, my Lord, I don't, but it follows on the incident with a torch which was relevant, because we have had a torch incident here.

THE RECORDER: I know, but I have to rely upon your discretion, or rather the discretion of counsel, to keep this case within reasonable limits.

MR. ELAM: May I put it this way; it was a light, but it was not a torch in the ordinary way? A. No.

THE RECORDER: A kind of glowworm? A. Yes, we call them spirit lights.

MR. ELAM: When the torch appeared, you say, it was in her hand, and then it went back into the curtains? A. No.

Q. What happened to it? A. Albert was holding the original torch behind her. Several of the sitters said, "She has a torch". Albert said, "Oh, no, I have the torch, do you see?" and he held it high above her head and switched it on; at the same time she was holding her own spirit light in her hand.

Q. What happened to the real torch? A. It must have been left there; I did not see, except at the end of the seance as we were getting our clothes the lady had it back again. Can I just explain?

THE RECORDER: No, I don't think so, thank you.

Re-examined by MR. LOSEBY.

Q. Mrs. Coulcher, you have been asked several questions upon materialisation phenomena? A. Yes.

Q. As I understand, you have been investigating spiritualism for some time? A. Yes.

Q. Do you profess to be an expert? A. Oh no, I hope to be.

BASIL KEITHLEY KIRKBY, *Sworn*.*Examined by MR. LOSEBY.*

Q. What is your full name? A. Basil Keithley Kirkby.

Q. Do you live at Wimbledon? A. That's right.

THE RECORDER: What are you? A. For the last twenty years I have been carrying out research work into this movement and into the stuff known as ectoplasm.

Q. How do you get your living? A. I sold a very large business in the North years ago.

Q. Have you got private means? A. Yes.

MR. LOSEBY: You have, as well as you can, carried out research work? A. Yes, I have proved—

- Q. Will you answer my questions? For a fairly long period of time? A. Yes.
- THE RECORDER: Research work into Spiritualism? A. Yes.
- MR. LOSEBY: To the best of your ability have you observed phenomena? A. Yes, and I have proved that ectoplasm—
- Q. Have you observed phenomena? A. Yes.
- Q. As well as you can? A. Yes.
- THE RECORDER: It makes it shorter if you just answer the question.
- MR. LOSEBY: Have you, to the best of your ability, observed phenomena? A. Yes.
- Q. Have you to the best of your ability come to conclusions from facts as you believe them to be? A. Beyond all doubt.
- Q. Did you attend a sitting with Mrs. Duncan on the 18th January, 1944? A. That's right.
- Q. Did you upon that occasion, quite apart from scientific interest, observe phenomena of particular personal interest to yourself? A. Yes.
- Q. Tell my Lord and the members of the jury what you observed. What happened? A. The first spirit which materialised which I recognised was my friend, a scientist who had passed over a good many years ago; he was a Spiritualist, and he appeared in that form the same as he used to appear to talk to us; he was bent up in that position.
- Q. You recognised someone known to yourself. How near were you at the time? A. Three to four feet; I was in the second row, quite near the opening in the cabinet.
- Q. Did the figure come far out from the curtains? A. It came about two feet clear of the front of the curtains.
- Q. Were you quite close? A. Yes, quite close.
- Q. Could you see clearly? A. Yes, and I could hear the breathing of Mrs. Duncan at the back of the cabinet at the same time.
- Q. Could you see and hear clearly? A. Yes.
- Q. Who was it you saw and recognised? A. My great friend I have just spoken of.
- Q. Perhaps you don't know his name? A. He is known pretty well through the movement, George Dobson.
- Q. Did you recognise him? A. I did.
- Q. First of all by sight and then by hearing. Tell my Lord and the members of the jury why you say you recognised him? A. By his mannerism and size and his voice, and his way of speaking to me.
- Q. Had you any doubt of any kind that it was your friend? A. No, because he had materialised many times before through other mediums.
- Q. He has materialised through other mediums, has he? A. Yes, many times.
- Q. Has he ever materialised on any previous occasion through Mrs. Duncan? A. No.
- Q. Were there any distinctive features about him? A. His moustache and his nose and the shape of his face, and just his particular way of looking at me, a sort of smile on his face that I always recognised when I visited him for many years when he was paralysed on his bed. He was paralysed through X-ray experimental work.
- Q. At what stage of his physical life did he show himself? A. Just before he took to his bed, when he was just able to walk about in a bent-up, cramped position.
- THE RECORDER: He was just the same, was he? A. Yes, just the same as he walked from the bathchair to the bed.
- Q. How long ago was that? A. Twenty years ago.
- MR. LOSEBY: Having observed this phenomena on many occasions, is it usual for them to show themselves at any particular stage of their lives when they appear in the materialised form? A. They try to appear in a shape that

you will understand and recognise. If he appeared as a young man I should not recognise him. He appeared as I knew him.

THE RECORDER: Have you ever seen a spirit who has changed in appearance from the time you last saw him? A. Yes, I noticed my mother; she looked very much younger, more like I knew my mother when I was quite young myself.

Q. So she does not adopt the usual practice of coming in the form which she last had? A. She did the first time, but afterwards I found she does not; she comes more in the state that she is now.

MR. LOSEBY: You have observed phenomena for some time; have you ever observed any striking point in materialisations? What is the point or value of materialisations? A. There is a wonderful power there, but at the moment we cannot harness it; we hope to; it is almost as amazing as radium was to the Curies. We hope to get closer control; it is very powerful, very physical.

THE RECORDER: Did your friend Dobson appear in what has been called ectoplasm? A. Yes, a shroud around the body.

Q. And the same as regards your mother? Does she appear in a shroud? A. Yes.

Q. They all appear in a shroud, do they? A. Yes, just a covering.

Q. Is there any explanation of that? A. When they enter this atmosphere they must have a covering. When you enter the earth's atmosphere you must have a covering for protection like when you get into the stratosphere.

Q. Do they say so? A. Yes, not one but many. I have worked side by side with Lodge and Sir Arthur Conan Doyle, and they observed the same thing.

MR. LOSEBY: May I ask a further question on your Lordship's question?

THE RECORDER: Yes.

MR. LOSEBY: Do you mean ectoplasm built into the form of a garment? A. It is very tangible; you can hold it; it has weight.

MR. LOSEBY: I don't know what you mean.

THE RECORDER: I think it is quite plain; I think everybody understands what he has said.

MR. LOSEBY: My point is whether it is something in the nature of a cloud? A. It has substance.

THE RECORDER: He says there is a form with a protective covering round it, as he calls it. That is plain enough.

MR. LOSEBY: Yes, my Lord, but I want to be quite clear. (*To the witness*) Have you during your phenomena—this is really an important point, my Lord—quite apart from the head, have you seen the ectoplasm built to the form of garments, or do you mean that, apart from the head as you have observed it, it is merely something like a shroud? A. I have seen garments of many types, but still a shroud on the upper part of the figure.

Q. You have seen garments built up? A. Yes.

THE RECORDER: He has not used the word "built". His evidence was so plain; why obscure it by those remarks? That is really all it does, to my mind; it does not help me. I do not know how the jury feel about it.

MR. LOSEBY: I only wanted clarity.

THE RECORDER: I think it is only making it more obscure.

MR. LOSEBY: Was there any other matter of special interest to yourself at that particular seance? A. Yes, one thing was very interesting. A small bird, a budgerigar not larger than a canary, was held out of the curtain on a materialised hand, and it moved about with the appropriate actions that these little birds make, and it used words that a little budgerigar that I knew very well used, that was: "Pretty boy, pretty boy," and in the right intonation that the little bird used, "Pretty boy, pretty boy", but very weak and clear.

Q. Have you seen animals materialise on other occasions? A. Yes, I have

seen dogs; I have felt them brush against my legs. I have handled the fur.

THE RECORDER: Was this budgerigar incident on the 18th January?

MR. LOSEBY: Was there any other phenomena appearing at a time when you sat with Mrs. Duncan? A. Yes, the guide appeared, a Chinaman.

THE RECORDER: This is some other occasion, is it? A. The same day, but a second sitting.

Q. On the 18th? A. Yes.

MR. LOSEBY: Who was it? A. A Chinaman known to me as Chang.

THE RECORDER: Who had been the guide at the first sitting? A. We all have many guides, but this was one particular guide who materialised and claimed that he belonged to me.

Q. You told us about your first sitting on the 18th with Mrs. Duncan? A. Yes.

Q. Who was the guide at the first sitting? A. The guide in control of the proceedings?

Q. Yes. A. Albert.

Q. At the second sitting on the same day his place was taken by somebody else, was it? A. No, the guide which materialised was one of my own guides; we all have guides.

Q. Have we? A. Yes, every one of us.

THE RECORDER: Well, I don't seem to have got one with regard to this evidence.

MR. LOSEBY: I asked you the question if you had personally identified anybody on the 18th. You are referring to some Chinaman, are you? A. Yes.

Q. Do you say that you personally identified him? A. Yes, I have seen him many times and he has been described by other people to me.

Q. You say he is a guide? A. Yes.

THE RECORDER: Your guide? A. Yes, my guide.

Q. Does he guide other people besides you? A. If they require help. They are not tied to one person; they go and help anybody they can; they are wonderful helpers, especially on my type of work. He has a long moustache, eighteen inches long, and his pigtail swings round.

MR. LOSEBY: Some question has been raised as to the value or necessity of a guide. Can you tell me, as a psychic investigator, what is the point or value of Albert the guide? A. In all things, even on the earth's plane, you must have a master of ceremonies. Even in this court you must have someone to arrange things and organise, and that is Albert's work.

Q. You say he is a kind of master of ceremonies? A. Yes.

THE RECORDER: That being so, why should your guide interfere? A. He did not interfere; he just stepped in, and with Albert's permission he was allowed to build up.

Q. Wasn't Albert doing the job satisfactorily? A. Oh, yes, quite all right.

Q. Did Albert announce him, or did he come unannounced? A. Albert announced him and said there was a spirit coming for me.

MR. LOSEBY: Is it or is it not quite a common feature of materialisations for other guides and such-like people to appear? A. Oh, yes, quite common.

Q. I gather you have told us everything of personal identification on the 18th. Have you, through Mrs. Duncan only, personally identified anyone on any other occasion? A. Oh, yes, many times.

Q. Perhaps you will be good enough to tell me who. Tell me as shortly as you can of anybody you yourself have personally identified? A. My mother.

THE RECORDER: When was that? A. About ten years ago, the first time.

Q. That would not be through Mrs. Duncan? A. No, not through Mrs. Duncan.

THE RECORDER: We are only dealing with Mrs. Duncan.

MR. LOSEBY: Have you, through Mrs. Duncan—

THE RECORDER: Yes, he understands now.

MR. LOSEBY: Personally identified anybody? A. No, not on my own. Ten

years ago I attended one with Mrs. Duncan, and I held a skipping rope and the little girl Peggy danced with the skipping rope.

THE RECORDER: Ten years ago is rather too much, is it not, Mr. Loseby?

MR. LOSEBY: I am trying a sequence.

THE RECORDER: All right.

MR. LOSEBY: Perhaps you might be allowed to say you saw something with a skipping rope? A. I held a skipping rope, and a little girl danced over it; she floated over it.

Q. She floated over it? A. That's right.

THE RECORDER: We may as well have it all. This was ten years ago, you say?

A. Yes, the little girl's name was Peggy.

MR. LOSEBY: This was through Mrs. Duncan? A. Yes.

THE RECORDER: What part of the country was it? A. At Bayswater Road.

Q. London? A. Yes.

MR. LOSEBY: How far away from the curtains? A. About three to four feet; about the same position as the last time but more on the side, because I held the rope one side and a gentleman held it the other.

Q. Could you see clearly that a child was skipping? A. Yes.

Q. To what name did the child answer?

THE RECORDER: Must you have all this? A. She gave the name of Peggy.

MR. LOSEBY: She gave the name of Peggy? A. That's right.

Q. Have you seen Peggy on other occasions? A. Yes.

Q. Has it always been apparently the same child? A. Yes, the same child.

Q. Apparently? A. Yes.

Q. On this occasion you saw Peggy skipping? A. Skipping.

Q. Tell my Lord and the jury about it? A. She did not seem to jump over it; she seemed to float over it. The skipping rope went round and she just floated over the rope. She was out of the cabinet three or four feet.

Q. And you were working the skipping rope? A. One end.

Q. And someone had the other end? A. Yes.

Q. Was she talking? A. Yes, very much.

Q. What was the voice like? A. A broad Scotch accent.

Q. You have not told us whether it was the voice of a woman or a child? A. A child's voice.

Q. Was it such a voice as Mrs. Duncan could simulate, in your view? A. I do not think so.

Q. Could it possibly have been Mrs. Duncan skipping? A. Oh, no.

Cross-examined by MR. ELAM.

Q. Do you know anything yourself about voice production? A. Yes.

Q. What experience have you had of that sort of thing? A. For the last twenty years I have been carrying on research work with regard to both the voice and the materialisation.

Q. Have you ever been on the stage? A. No.

Q. Or done any elocution? A. No.

Q. Do you agree that, if you had had some experience—because we have had evidence called for the prosecution—it is amazing how, if you are good at it, voices can be imitated by one person? A. Yes, I can quite understand that.

Q. Have you seen child impressionists and that sort of thing? A. Yes.

Q. Young people putting on elderly voices? A. Yes.

Q. Have you ever heard Mrs. Duncan imitate a voice definitely to you? A. No.

Q. So you cannot say whether she can do it or not? A. No.

Q. What is your impression of Albert's voice? A. I always feel it fits the type of man very well indeed that I have seen him build up.

Q. We have not seen him; can you help us about that? A. He is tall, about

six feet, fairly sharp in features, and just a slight beard I noticed at the time.

Q. What sort of voice goes with a man who is six feet tall and has a beard and sharp features? A. Not unlike your own, but more in the Canadian and Australian accent, more the colonial accent, I should say.

Q. Not Oxford and the B.B.C.; that wouldn't fit it? A. Well, a voice that had been trained through those quarters possibly.

Q. Is it a mixture of all four? A. No.

Q. What do you think fits it best, Oxford and the B.B.C., or Canadian and Australian? A. It is just a moulding.

THE RECORDER: Doesn't Cambridge get a look in at all?

MR. ELAM: While we are dealing with guides, does a man have a woman guide and a woman have a man guide? A. Sometimes.

Q. So far it has always been the opposite sex. Does that always happen? A. No, I described the man guide this morning.

Q. Yours is a man? A. Yes, a Chinaman.

Q. How long have you been interested in Spiritualism? A. Just over twenty years. At the death of my mother I started this; we made a compact.

Q. How many times in all have you seen your old friend the scientist with Mrs. Duncan and other mediums? A. I should say about twelve or fourteen times.

Q. Had you seen him nine or ten times before you saw him through Mrs. Duncan, as you say? A. No. Mrs. Duncan was the last time, you see.

Q. That is what I mean. You had seen him about eleven times before? A. Yes, eleven or twelve times before.

Q. Were you very anxious to see him through Mrs. Duncan as well? A. No, I left it open each time.

Q. Were you anxious to? A. No.

Q. Would you have been disappointed if you hadn't? A. No.

Q. Did you expect to? A. No.

Q. Do you remember on the 18th anybody called Pinkie figuring in the meeting? A. I recall the name.

Q. Or Mrs. Allen? A. It seems familiar, but I will not commit myself. I cannot be sure.

Q. Was Chang, the Chinaman with a long moustache, visible to others in the room? A. Yes.

Q. Do you know Mrs. Lock? A. Not personally.

Q. Or Mr. Burrell? A. No.

Q. He has been a medium? A. I went down from London to Portsmouth, and they were practically all strangers there.

Q. Was this Chinaman clear in the room, do you think? A. Yes, one of the clearest at the seance.

Q. Mr. Burrell and Mrs. Lock have not told us anything about him. A. No.

Q. Do you think they could have seen him if they had been there? A. Yes, I am sure.

Q. Did the dogs bark? A. Not in Mrs. Duncan's seance, but I have heard them bark at other seances.

Q. What colour were they? A. One was a brown spaniel, and the other was half sheepdog, half retriever.

Q. What colour was the budgerigar? A. The colour of ectoplasm, scintillating white.

Q. Have you always been interested in birds? A. Yes.

Q. Including budgerigars? A. Yes, this was a special favourite.

Q. Are there such things as white budgerigars in earth life? A. I think the nearest thing is a very pale blue, with white wings and white tail.

Q. Any other part white? This one had not got any blue. Did you see its eyes and its beak? A. Yes.

Q. Did it move its feathers? A. Yes.

- Q.* It was rather a rare specimen, was it not, pure white? *A.* No, when built in ectoplasm they sometimes come in that form.
- Q.* Do you agree that ectoplasm in a darkened room, and if you are not allowed to touch it, is very similar to butter muslin? *A.* No, it has more the feel of a heavy cobweb.
- Q.* I purposely said if you are not allowed to touch it? *A.* If you are given permission you are allowed to touch it.
- Q.* We have heard that permission has been refused, so that in a dark room with the dull red light at the back might butter muslin look rather like ectoplasm? *A.* No, it has not the texture of butter muslin.
- Q.* How does it differ? *A.* It is more of a cloudy formation.
- Q.* It goes to a point sometimes, does it not? *A.* It goes all shapes.
- Q.* Just like that? *A.* Yes, I have seen it in all shapes; all shapes are possible.
- Q.* Have you ever heard of ectoplasm being prepared chemically, synthetically? *A.* No.
- Q.* Have you ever tried any experiment like that? *A.* Many, but not in that way.
- Q.* Have you ever heard of it being done? *A.* No.
- Q.* Did you know the National Laboratory for Psychical Research had investigated Mrs. Duncan's alleged ectoplasm? *A.* I have read about it.
- Q.* They rather thought it was butter muslin, did they not?
- MR. LOSEBY:** My Lord, is my friend entitled to ask that question? They are living people who have not been called, whom I should like to cross-examine if they said anything of the kind.
- THE RECORDER:** This gentleman is an investigator; he is engaged in research work into Spiritualism and has been for years, and he says he has read about this enquiry. I think he might be asked whether he read what conclusions they came to in the matter.
- MR. LOSEBY:** If they were not living people——
- THE RECORDER:** He is being cross-examined, and I think it is permissible in cross-examination, Mr. Loseby.
- MR. LOSEBY:** If your Lordship pleases.
- THE RECORDER:** Did it record what conclusions they came to with regard to butter muslin? *A.* It did not interest me, because I could tell it was not true; it did not agree with my own manifestations. What I found in my manifestation was so opposite that I did not trouble any further.
- Q.* Are they an impartial board of enquirers as a rule? *A.* They set themselves out to be so at the time.
- Q.* You are not a member of it, are you? *A.* No.
- MR. ELAM:** I am content not to pursue it too far.
- THE RECORDER:** I think you are entitled to ask him if he read their conclusions.
- MR. ELAM:** Did you read that bulletin? *A.* No, I don't think I did.
- MR. LOSEBY:** My Lord, I think I must ask your Lordship to take a note of my objection.
- THE RECORDER:** A note is being taken, Mr. Loseby. I have ruled that this gentleman can be asked, and he has been asked and answered a question, as to what was the conclusion as recorded and read by him of this Board of Enquiry.
- MR. LOSEBY:** I thought he said he had not read it.
- MR. ELAM:** He said he knew of it.
- THE RECORDER:** He said he had not read it, as I understand. There would be no point in asking him, if he had not read it and knew nothing about it.
- THE WITNESS:** I said what I had read in the newspaper at the time, but not the record, the book.
- MR. ELAM:** Although you have been an ectoplasm investigator for twenty years, you really were not interested in the investigation of this National

Laboratory for Psychical Research into ectoplasm? *A.* No, not in their research work.

Q. You not being a member? *A.* No.

THE RECORDER: What was the date of their enquiry?

MR. ELAM: 1931, was it not? *A.* I cannot tell you.

THE RECORDER: Some time ago? *A.* Oh, yes, years ago.

MR. ELAM: Did you read anything about it in a paper called *Light*? *A.* I cannot just remember; I have not read the paper very much, not the one called *Light*.

Q. Have you ever tried any experiment of giving the medium a coloured pill to see if the ectoplasm came out the same colour as the pill? *A.* No, I have had no need of such drastic measures.

Q. Have you ever heard about that? *A.* Yes.

THE RECORDER: Is a good deal of trickery resorted to by some false mediums? *A.* I have heard of it being possible.

Q. In the course of your twenty years' investigations have you ever found a false fraudulent medium? *A.* I have contacted them. Some that I have seen were not playing straight; I have not had anything to do with them.

Q. You have discovered such people? *A.* Yes.

Q. How many in twenty years? *A.* About three or four.

MR. ELAM: Although you are an investigator, you have just dropped them like a hot cake, have you? *A.* As soon as my psychic instinct tells me they are wrong, of course I do.

Q. What is the point of the investigation? *A.* To carry forward the truthful side.

Q. When you find one is a fake and you do not like it, you just leave it alone, do you? *A.* Yes.

THE RECORDER: Would it not be better to expose it? *A.* I have placed it in other hands; my work has been on the up grade, not on the down grade.

Q. Do you work for any Society? *A.* I used to work for the British College of Science.

Q. At the present time do you work for any society which is investigating the truth or otherwise as to this? *A.* No.

MR. ELAM: You are rather working all one way, are you not? *A.* The right way, the way that leads to the final goal.

Q. Have you ever tried experiments with X-ray on ectoplasm? *A.* No.

Q. Where did the skipping rope come from? *A.* I forget for one moment, but it was in the room.

THE RECORDER: Who had thought of having a skipping rope ready? *A.* As far as I can remember, the gentleman holding seances at this particular room—they kept things like skipping ropes and other things in the room for children when they came in, and this rope was in the room at the time before we sat.

Q. Is there any scientific reason why a child should want to skip when it comes? *A.* It is very natural for a child to want to play in a natural way, is it not? It seems very natural to me for a child to want to. If you saw them round a Christmas tree—

MR. ELAM: It was not a spirit skipping rope, was it? *A.* No, it was there before we came into the room for the seance.

Q. We have heard about the lights. As an investigator for twenty years, would you agree that in a darkened room with dark curtains there is opportunity for fraud if the medium is so minded? *A.* Yes, but you must have those conditions.

Q. Won't they face the bright light of day? *A.* It is impossible at the moment for a spirit to build up in a very strong light, but we hope to get the light stronger and stronger; it has improved greatly in the last few years.

Q. Have you tried the experiment of getting the spirit to build up in a strong

- light? *A.* Yes, in the same way as with the photographic plate, attempts are made; but it is impossible to get them in a strong light.
- Q.* When was the last attempt made to get them to build up in strong light? *A.* Five or six years ago.
- Q.* Where? *A.* At Wimbledon Park.
- Q.* How strong was the light? *A.* 40 watts, slightly shaded.
- Q.* Who was the medium? *A.* Mrs. Singleton.
- Q.* What happened; was it a success? *A.* We got slight manifestations, but no solid form.
- Q.* Nothing would build up with a 40 watts in the room: is that what it comes to? *A.* It was impossible to change from the dim light to this strong light without breaking up the power.
- Q.* Have you ever tried a gradual light while it was working up? *A.* Yes.
- Q.* How did that work? *A.* The same effect if you brought it up too suddenly.
- Q.* I asked you about a gradual change? *A.* It was all right if you brought it up a step at a time.
- Q.* Have you tried it? *A.* Yes.
- Q.* What happened? *A.* If it was handled carefully you got——
- Q.* I am asking you what happened? *A.* The materialisation at the time went on if you gradually brought it on.
- Q.* And then? *A.* It remained quite firm, but it was still a red light.
- Q.* Have you ever tried it in a white light? *A.* No.
- Q.* Have you tried any other coloured lights than red? *A.* Yes, blue.
- Q.* How did that come on? *A.* Very well indeed.
- Q.* Any other colours? *A.* No, red and blue chiefly.
- Q.* Was the blue the same strength as the ordinary red light?
- THE RECORDER: Do spirits only manifest themselves in a dim light? *A.* Yes.
- Q.* Is that a fair way of putting it? *A.* Yes.
- THE RECORDER: We need not spend much time over it, Mr. Elam.
- MR. ELAM: No, my Lord.

Re-examined by MR. LOSEBY.

- Q.* You have been asked whether you have read anything about some finding by a body which called itself the National Laboratory of Psychic Research. Do you know anything whatever about that body? *A.* I know about it, but I have had no connection whatever with it.
- Q.* Do you know anything about anybody called Harry Price, described as the honorary director of the National Laboratory of Psychic Research? *A.* Yes.
- Q.* Do you know him? *A.* I have met him.
- Q.* Have you seen him anywhere in the vicinity of this court this morning? *A.* Yes, he is right in front of me this morning, sitting right facing me.
- Q.* Do you know anything about the theories of that gentleman whom you have seen in the vicinity of this court this morning? *A.* I beg your pardon.
- Q.* Do you know anything about the theories of that gentleman in regard to what is known as regurgitation? *A.* Yes, I have read about that.
- Q.* The phenomena of materialisation can be brought about by something that has been brought up from the stomach of the medium. Would that correctly describe the theory of regurgitation? Perhaps you do not know anything about it? *A.* I do not profess to know anything about it.
- Q.* In your view is it possible that this scientific friend of yours, or the likeness that you thought was observed, could have been assisted by something brought up out of the stomach of Mrs. Duncan? *A.* Impossible.
- MR. ELAM: My Lord, I do not want to interfere, but he has just said he does not know anything about regurgitation. How can he be asked any further question?

MR. LOSEBY: My Lord, outside the document my friend has referred to is the name.

THE RECORDER: Don't bother about that.

MR. LOSEBY: I want to go on to regurgitation.

THE RECORDER: Yes, he has said he does not know anything about regurgitation.

MR. LOSEBY: May I put the question I want to ask him, because this may come out?

THE RECORDER: Yes. (*To the witness*) You cannot answer questions about regurgitation, can you? A. No.

MR. LOSEBY: I want to exclude all possible fraud.

THE RECORDER: This gentleman cannot help you: he said he cannot answer any questions on the subject of regurgitation. Whether that is going to help you or not, I don't know.

MR. LOSEBY: Does your Lordship say I may put it?

THE RECORDER: He says, "I cannot answer questions about regurgitation".

MR. LOSEBY: I am very much obliged. (*To the witness*) It has been suggested to you that a clever actress might simulate the voices that you heard on the 18th? A. I don't think so myself.

Q. You have sat many times with Mrs. Duncan have you not? A. Yes.

Q. Is it in your view possible for any actress, however brilliant, to simulate all the voices that you have heard? A. I don't think so. I don't think it is possible.

Q. Quite apart from simulating voices, do you think that any living persons could impersonate the figures that you saw on the 18th? A. No.

Q. As far as you could tell, could any living person have impersonated that child that you have seen? A. No.

Q. Would it have been possible—I used the term possible—for Mrs. Duncan to have simulated that child which you have seen? A. No.

Q. I understand you have seen that child on many occasions? A. Yes, several occasions.

Q. And this old friend that you saw on the 18th; do I understand that you have seen him on several other occasions? A. Yes.

Q. After he had died? A. Yes.

Q. Have you ever seen that person on any other occasion through Mrs. Duncan? A. No.

THE RECORDER: As regards the three or four cases of false mediums you have discovered, did any of them ever indulge in the practice of swallowing some substance, a flimsy cloth or something? A. No.

Q. And then regurgitate it? A. No.

Q. You have not come across that in your investigations? A. No, my Lord.

THE RECORDER: Thank you.

GEORGE PERCIVAL BARNES, *Sworn.*

Examined by MR. LOSEBY.

Q. Is your name George Percival Barnes? A. Yes, it is.

Q. Are you a Captain retired, of the Indian Army? A. I am.

Q. Do you live at 27 Winter Road, Copnor? A. I do.

Q. Have you at one time or another attended five different sittings with Mrs. Duncan? A. I have.

Q. What fee were you charged? A. 12s. 6d.

Q. Have you any personal complaint to make about that fee? A. None whatever.

Q. Was the last of them on the 13th January, 1944? A. I was at the seance.

Q. Was that the last occasion? A. Yes, that is the last occasion I went.

Q. Upon that occasion was there anything that happened of particular interest to you personally? A. I was very, very pleased because I actually saw the features of my son for the first time.

- Q. Is your son alive, or supposed to be dead? A. He was reported missing by the War Office for eighteen months, and then I got a notification saying, "Presumed killed in action".
- Q. And you say that you were very pleased at something that happened on the 13th? A. I saw him personally myself; it convinced me.
- Q. Before you saw him, was he announced? A. He was announced, but not claimed by me because I did not know the method of his passing, and when I said, "Is that you, George?" at the same time as he said, "Yes, Dad", I heard a voice this side of the curtain saying, "That's the voice", both almost together. I never heard anything like it in my life before.
- Q. What happened? A. I spoke to my son and he told me to wait.
- Q. How did you know it was your son? A. The attitude of his stand; he always stood like this to me in a way that was peculiar to himself, and when he addressed me he addressed me in his own voice.
- Q. What did he say? A. "One minute, Dad, let me do the talking", because I am afraid I used to talk a lot.
- Q. Was it a habit of his to say, "Let me do the talking"? A. Yes.
- Q. How close to him did you get? A. I should say between three and four feet.
- Q. Could you recognise him? A. I did recognise him.
- Q. Do you think you recognised him, or are you certain you recognised him? A. I could swear I was certain I recognised him, my own son.
- THE RECORDER: When do you say he was missing? A. He was missing on the 22nd May, 1940.
- MR. LOSEBY: Now the voice. Was the voice the voice of your son? A. Yes, undoubtedly, no mistaking that.
- Q. Were the mannerisms the mannerisms of your son? A. Exactly what he used to do.
- Q. Did he say anything particular that helped you in the matter of being sure? A. He spoke of my little granddaughter Shirley, who had just passed.
- THE RECORDER: "Shirley"? A. Yes.
- MR. LOSEBY: Are you the husband of Mrs. Barnes who has given evidence? A. I am.
- Q. Have you yourself ever seen the materialised form of Shirley? A. Yes, he told me, "I have brought Shirley to you, Dad".
- Q. On this occasion? A. Yes, on this occasion, and I said, "Come along, Shirley", and I was surprised to see her come through the curtains along over to me.
- THE RECORDER: Was she there at the same time as he was? A. No, he disappeared suddenly and she came.
- MR. LOSEBY: Did you see Shirley? A. Yes, she was only about one and a half feet away from me. I bent right down to her like that, and she looked up at me.
- Q. That was your granddaughter Shirley? A. That was my granddaughter Shirley.
- Q. Were you close enough to see the features of Shirley? A. Definitely, I was only about a foot away from her.
- Q. Do you think it was Shirley? A. I am certain it was Shirley.
- Q. And the voice? A. I am certain of the voice, because she used to speak very babyishly and her words were not clear when she spoke to me before she passed; but when she spoke to me there it was definitely a child's voice of about that age, sir.
- Q. The voice was the voice of a child? A. Of a very small child; yes, sir.
- Q. Upon any other occasion did you get any identification of which you are certain? A. I am certain my mother came through on two previous sittings, but not on this occasion.

- Q. Was that through Mrs. Duncan? A. Yes, through Mrs. Duncan.
 THE RECORDER: What year was that? A. That was last year, about September, I think.
 Q. In this same room? A. In this same room.
 Q. Are you a member of this church? A. I attend the church.
 Q. Do you know Mrs. Homer? A. Yes, I know Mrs. Homer.
 MR. LOSEBY: Do you attend regularly? A. On Sundays.
 Q. Have you ever sat with Mrs. Duncan at any other place besides Copnor Road? A. I have been to ordinary seances.
 Q. Other than at Copnor Road? A. No.
 Q. How close did you get to your mother? A. I think about five feet; the voice was my mother's, but I could not see her features clearly.
 Q. The voice was the voice of your mother? A. Absolutely.
 Q. Did she say anything by which you could particularly identify her?
 A. I would not say I could, but she spoke about my present more than my past; she did not speak much about the past.

Cross-examined by MR. ELAM.

- Q. Did you serve in India for a number of years? A. Forty-two years.
 Q. Forty-two years in India? A. Yes.
 Q. Did you by any chance see the Indian rope trick? A. No.
 Q. Living at Copnor, how far would that be roughly from 301 Copnor Road?
 A. I should think about three hundred yards.
 Q. Quite near? A. Quite near, yes, a quarter of a mile away.
 Q. Did you ever buy things in the shop at 301? A. No; I used not to deal there, as a matter of fact.
 Q. How long have you been attending at the church? A. Since my son was reported missing, about June or July, 1941.
 Q. Forgive me asking you about your son, but before he was in the services had he been living with you in Copnor? A. No, he was living with me in India. I sent him home from India to Chepstow, to join the army there.
 Q. Did he come to see you at Copnor? A. Often, up to a few days before he died, before he was killed.
 Q. Did Shirley appear on the 13th? A. She did appear on the 13th.
 Q. Were you at Copnor Road on the 16th also? A. I was on the 16th, yes.
 Q. Did Mrs. Duncan then say, "A little child", or perhaps it was, "helper has suddenly grasped my right hand"? A. Yes.
 Q. It was Mrs. Duncan speaking, was it? A. Well, she was speaking in Albert's voice; it was more like Albert's voice than her own; she appeared to be in a trance.
 Q. Did she say, "Her name is Audrey"? A. Yes.
 Q. "And she has run along the side of the room and is standing by a gentleman at the back"? A. Yes.
 Q. Were you standing at the back? A. I was sitting at the back.
 Q. On that particular day? A. Yes.
 Q. Did you say, "My daughter's name was Shirley"? A. I said, "My daughter's name was Shirley".
 Q. "Not Audrey"? A. Definitely not Audrey.
 Q. Did you say, "Not Audrey"? A. "Not Audrey. Shirley".
 Q. You were a little puzzled, were you not? A. I was a bit puzzled, but I thought it might be my granddaughter.
 Q. Did Mrs. Duncan say, "I have got the name wrong"? A. No, she said, "It sounds to me like Audrey".
 Q. Did she say, "I should have said Audrey"? A. No, she did not say that.
 Q. You don't agree with that? A. I don't agree with that.
 Q. Not in the main? A. No, I said it was Shirley, assuming it was Shirley.

- Q. To come back to your son for a minute, did you say when he first appeared on the 13th others claimed him? A. Before I spoke to him at all when Albert announced him, others claimed him because Albert said he had been burnt to death, and I never thought of him being burnt to death, so I never claimed him.
- Q. How many others claimed him? A. At least four voices shouted, to which there was no response.
- Q. All together? A. One after the other.
- Q. Do you know Mrs. Brown? A. No, I only saw her that day. The first time I saw her was when I went to the seance.

Re-examined by MR. LOSEBY.

- Q. I understand you to say that Albert gave a description in the last case and asked anyone in the audience to speak up? A. Yes.
- Q. And Albert then said, "That's the voice," or "It is not the voice"? A. Yes.
- Q. And on that occasion when somebody said so-and-so, Albert said, "That is not the voice"; but, when you spoke up, Albert said, "That is the voice"? A. Yes; that is so.
- Q. In regard to the sitting on the Sunday, had you any idea how the guides worked on that occasion? A. No.
- Q. How they got names? A. No, but probably—
- Q. I am only asking you that. A. No.
- Q. You know nothing about that at all? A. No.
- Q. Did Albert's voice say, "It sounds to me like Audrey", or words to that effect? A. Yes.
- Q. The point was never cleared up? A. There was no message given.
- Q. Had you yourself witnessed anything similar to that before that Sunday? A. Nothing peculiar, no. Very often little Shirley used to say, "Ow me" for "Show me". I think she had an impediment in her speech when a child; she had difficulty in pronouncing the word "show", and quite possibly she did not pronounce her own name properly.
- THE RECORDER: I gather this is the only time you have seen your son? A. Yes, I have had messages from him, but not seen him.
- Q. How long have you been interested in Spiritualism? A. I have only attended the seances since he was reported missing.
- Q. I only asked you how long? A. Since June, 1940.
- Q. When your son appeared, was it a form which you could see through or was it opaque? A. No, its face seemed almost lifelike; his clothing seemed to drop to the ground.
- Q. Had he a white shroud? A. He was all shrouded except his face.
- Q. You did not shake hands with him, did you? A. I wish I had, but I did not go close enough.
- Q. What did he say about himself? A. He was rather keen on introducing my granddaughter to me, knowing that we had just lost her. He seemed rather keen on her.
- Q. He told you nothing about himself? A. Very little about himself; he used to appear at ordinary voice mediums, but not at materialisations.
- Q. He did not say what he was or what he was doing? A. No, sir.

HAROLD BOSTON MILLER, Sworn.

Examined by MR. LOSEBY.

- Q. What is your full name? A. Harold Boston Miller.
- Q. Are you a Flight Lieutenant? A. Yes.
- Q. Do you live at Tongdene Avenue, Hove, Sussex? A. Yes.
- Q. For the moment you are serving. Have you been a student of psychic research since the year 1937? A. That is right.

- Q. Have you specially examined the phenomena through Mrs. Duncan and other mediums? A. Yes.
- Q. Has your main purpose been scientific research? A. Yes.
- Q. For that purpose would you be what is commonly called a Spiritualist? A. No.
- Q. Are you an investigator? A. I am an investigator.
- Q. Have you, for the purpose of your research, sat with Mrs. Duncan for about twenty times? A. Sixteen times, to be exact.
- Q. What fee have you usually paid her? A. It depends. Sometimes it has been nothing at all; sometimes it has been ten shillings. It really depends where it has been.
- Q. Have you been generally satisfied with the fee that you have paid? A. Oh, yes.
- Q. You sat with her some twenty times?
- THE RECORDER: "Sat with her" is a phrase I do not understand. Does it mean you have attended seances at which she has been the medium? A. Yes.
- MR. LOSEBY: Have you also sat with her privately, other than at public seances? A. Yes, I have.
- Q. Have you taken particular precautions on any occasion that your sittings should be what are called test sittings, or have you not troubled about that? A. Precautions have been taken. I have not instituted the precautions myself, but I have watched them being taken.
- Q. They are the usual, quite normal though rather insulting, perhaps, precautions? A. Yes.
- THE RECORDER: Counsel said "insulting", but they are invited as a rule by the medium, are they not? A. I think I am right in saying that Mrs. Duncan insists on it.
- Q. Yes; I don't know why the word "insulting" should be used; she invites it? A. Yes.
- MR. LOSEBY: I did not mean in regard to any particular individual, my Lord. (*To the witness*) Have you observed phenomena that you yourself could check by reason of personal identification? A. Yes, I have.
- Q. About how many? A. Fifteen recognitions I know of.
- Q. Fifteen separate identifications checked by yourself? A. Yes.
- Q. Will you give them as quickly as you can, giving us the approximate dates? A. The first time was the 11th September, 1937.
- THE RECORDER: In these premises at Portsmouth? A. No. I have never been to Portsmouth; it was in Edinburgh, sir.
- Q. September of 1943? A. 1937.
- MR. LOSEBY: At Edinburgh? A. At Edinburgh, at the College of Psychic Science. Why I went there was because it was the first time I had ever met Mrs. Duncan; she did not know me from Adam.
- Q. Tell us those which are material in regard to Mrs. Duncan as a medium to-day. A. The first one was a gentleman who is well known to me, and he materialised. I was within six inches of him; he was perfectly recognisable. He was short of stature, he only came up to my shoulder as he was in this world, shall we put it, and Albert remarked that the gentleman's name was a name which was only used by his family at home, a very intimate name. Albert introduced him by that name.
- THE RECORDER: Albert was her guide even then, was he? A. Yes.
- MR. LOSEBY: Throughout the whole period of the time that you have known Mrs. Duncan has Albert always been the guide? A. Yes.
- Q. Then did you recognise the person announced? A. Yes.
- Q. You say you got within six inches of him? A. Yes, I was sitting at the side of the cabinet.
- Q. Why do you say you recognised him?
- THE RECORDER: You might leave that for cross-examination, I imagine. (*To*

the witness) You are satisfied that it was a genuine demonstration, are you?

A. Yes, my Lord.

THE RECORDER: All right, leave it at that.

MR. LOSEBY: Was the sound of the voice—

THE RECORDER: I have suggested that you leave out the details, or leave it for cross-examination. It is really rather an indulgence to allow this evidence going back to 1937 to be given at all. I am anxious not to shut out anything for the defence, but it must be rather restrained. A. That is why I gave it, because it was the first time.

Q. You thought it was a genuine demonstration? A. Yes.

Q. When you saw your friend? A. Yes.

Q. When was the next incident? A. The 8th October, 1941.

Q. Where was that? A. At Preston.

Q. Was it Mrs. Duncan again? A. Mrs. Duncan again.

Q. And Albert? A. Albert, yes, sir.

Q. What do you want to tell us? A. A lady I had known in Edinburgh called Mrs. Roughhead materialised; her voice was recognisable—it was undoubtedly her voice. She manifested very well. She shook hands with me.

Q. What did the hand look like? A. The hand was rather small.

Q. Could you grasp it? A. Yes.

Q. It was something you could hold? A. Oh, certainly, sir, yes.

Q. And you were satisfied again, I suppose, that it was a genuine demonstration? A. Yes. Then following immediately upon that materialisation her daughter, a girl who appeared to be in her teens, came in and spoke to me.

Q. This lady, Mrs. Roughhead's, daughter? A. Yes.

Q. Had you known her in life? A. No, but she had materialised at a previous seance.

Q. With her mother, or without her mother? A. No, my Lord, I had a sitting on the 31st December, 1937, at Mrs. Roughhead's house in Edinburgh. Mrs. Roughhead at the time was on this side, shall we say?

Q. Was that at Mrs. Duncan's meeting? A. Yes.

Q. At Mrs. Roughhead's house? A. Yes.

Q. You were there? A. Yes. It was a private sitting, and Mrs. Roughhead's daughter materialised then.

THE RECORDER: Do you want to tell us about any other date?

MR. LOSEBY: Recognised by appearance and voice: is that right? A. Yes, appearance and voice, that is quite correct.

Q. Give us the next occasion. A. The 7th April, 1943, a lady who was known to me who was killed by a bomb; the bomb blew in the side of the building, and the debris crushed her. This lady was introduced by Albert, who said, "Here is someone for you, Mr. Miller, who was crushed". The lady then walked out and was perfectly recognisable as this lady that I knew.

THE RECORDER: Where was this held? A. That was also in Preston.

Q. The same premises as in 1937? A. No, sir, 1937 was in Edinburgh.

Q. Preston was in 1941, was it? A. The 7th April, 1943, my Lord.

Q. The same premises? A. Yes.

Q. Was it a private house? A. Yes.

Q. Was Mrs. Duncan the medium? A. Mrs. Duncan was the medium.

MR. LOSEBY: In your view was it possible for any of those people to have been impersonated by Mrs. Duncan? A. No, none of those.

THE RECORDER: This lady had been killed in an air raid, had she? A. Yes.

Q. Was there any sign of injury upon her when you saw her? A. No, there was no sign of injury.

Q. We have been told that the spirits usually manifest themselves in the form that they were in immediately before they passed over? A. Not always;

they only do it if it is necessary for the purposes of recognition. For instance, I have seen a man come in with his face smashed in on one side, showing a death wound for recognition purposes.

MR. LOSEBY: Have you had any other cases of personal identification? A. We would have to go back to 1937.

THE RECORDER: No, we want to go forward. A. I have not sat since April, 1943, with Mrs. Duncan, so that is as up-to-date as I can give you.

MR. LOSEBY: You have studied this whole question of ectoplasm, have you not? A. Yes.

Q. And can answer any question on that subject? A. I think so, sir.

Q. Have you any doubt of any kind of these recognitions and identifications of which you speak? A. No, no doubt whatsoever.

Cross-examined by MR. ELAM.

Q. Are you in the Regular Air Force, Mr. Miller? A. No.

Q. What did you do before you entered the Air Force? A. I was a cinema proprietor.

Q. Have you read a lot of books about psychic research? A. Yes, I have.

Q. Does Mrs. Duncan feature in any of them? A. Yes.

Q. Have you read the report, when in 1931 she was investigated by the National Laboratory of Psychical Research?

MR. LOSEBY: I object to that, my Lord. The author of this particular matter has been actually seen in the vicinity of this court.

THE RECORDER: I understood he was in court.

MR. LOSEBY: I do not know that. My point is, he was not called in order that I could cross-examine him, and now witnesses are being asked as to something said by this gentleman who has not given evidence.

THE RECORDER: I cannot stop questions being put in cross-examination by the Prosecution or by the Defence. A witness can always be asked as to his knowledge of certain matters. If he does not know about them he has only got to say so, and that is the end of it. So far as they are relevant they are admissible.

MR. LOSEBY: I will put it in this way, my Lord; that in effect he is being asked, "Are you aware that Mr. Harry Price, a living person, has said such and such a thing?"

THE RECORDER: Yes, he may know.

MR. LOSEBY: That is a person who has not been called.

THE RECORDER: It does not matter a bit; he may not know Mr. Price; he may never have heard of Mr. Price. Go on, Mr. Elam.

MR. ELAM: You told me you had read the report? A. Yes.

Q. Have you made experiments yourself with ectoplasm? A. Do you mean the same experiments as Mr. Price?

Q. Yes, or similar? A. Not under those conditions.

Q. Have you ever tried to make experiments with X-rays with it? A. No.

Q. Where do you say ectoplasm comes from? A. That depends. It comes from all the orifices of the body; it can also come from the sweat. It can come out through the nipples, it can come out through the pores. There are various grades of ectoplasm.

Q. Are one of the places it could come from the stomach? A. Do you mean the solar plexus?

Q. Yes? A. Yes.

THE RECORDER: Does it ever come from the mouth? A. Oh yes.

MR. ELAM: From the throat? A. From the mouth.

Q. You are an investigator and a student of psychic research since 1937. Have you ever tried giving a medium a coloured pill to see whether the ectoplasm changed colour when it came out? A. No, but I have been with Mrs.

Duncan when she has had a heavy meal of meat, vegetables and potatoes two hours before the sitting, and she has produced yards of ectoplasm without any stain on it whatever.

- Q. Have you read about people who can regurgitate things? A. Yes, a very far-fetched theory, in my opinion.
- Q. Have you heard about it? A. Certainly, that is Mr. Price's theory, with which I do not agree.
- Q. Have you ever seen anyone at a fair? A. A regurgitator?
- Q. Yes? A. No, I have not.
- Q. But you are familiar with the theory, are you? A. Yes, but I very much doubt if it could be done in dead silence; there is bound to be some noise.
- Q. But you have never seen it? A. No.
- Q. Have you ever made an experiment as an investigator as to what happens when you try to touch or put a light on the ectoplasm suddenly? A. Yes.
- Q. Have you tried that? A. Yes.
- Q. Whom with? A. Mrs. Duncan.
- Q. What happened? A. First, I got permission to do it; I would not be fool enough to switch on a light or a torch without getting permission first.
- Q. So she knew you were going to do it? A. Albert knew.
- Q. What happened? A. It is possible to protect the materialised spirit against a flash of light.
- Q. How do you mean? Did you say to Albert, "May I touch the ectoplasm?" You say you had Albert's permission? A. No, I said, "May I take a photograph?"
- Q. Who answered? A. Albert.
- Q. What did he say? A. He said, "Yes, later on towards the end of the sitting".
- Q. Did you take a photograph? A. Yes, I took a photograph.
- Q. Did you put a light on to take the photograph? A. I used a light such as press photographers use.
- Q. A flash? A. Yes. I warned Albert beforehand I was going to use a flash.
- Q. Have you ever tried putting a bright light on when ectoplasm is out, and leaving it on? A. I would not dream of doing that without permission.
- Q. Have you ever tried to get hold of it without permission? A. No, I am not such a fool as to do that.
- Q. You are an investigator, are you not? A. I am not going to risk the life of a medium.
- Q. Have you ever read of that being done? A. Yes, I have also read of what has happened to mediums when that was done.
- Q. Have you sat with mediums other than Mrs. Duncan? A. Yes.
- Q. How many? A. About eight; that is, eight physical mediums.
- Q. As distinct from materialisations? A. No, not necessarily full forms, but they produced ectoplasm. Direct voice mediums, for instance, are physical mediums.
- Q. When you had those private seances that you have told my Lord about, did Mrs. Duncan stay in the house? A. At Preston, I understood she was staying in the house.
- Q. What about Edinburgh? A. Her own home is in Edinburgh, so there is no object in her staying there.
- Q. It was held in her own house, was it? A. No, it was held in Mrs. Roughhead's house, and then she went back to her own home.
- Q. You said when you sat with Mrs. Duncan precautions were taken. What precautions do you mean? A. The precautions are these. A committee of three ladies take Mrs. Duncan out to a room where she is stripped of all her clothes.
- Q. We have heard about that. What else? A. Then the clothes which she is to wear during the seance are examined by all the sitters and given to

one of these ladies, and she is dressed in front of the ladies and brought in by the ladies.

- Q. Were any other precautions taken? A. Yes, the room was examined, the cabinet was examined—the cabinet consists of curtains hung across the room—the chair was examined, and Mrs. Duncan invariably exchanged her chair with any of the sitters.
- Q. Anything else? A. Not that I know of.
- Q. As an investigator, I suppose you have heard about precautions being taken about people being under electrical control? A. I do not think people being under electrical control are of any use whatever.
- Q. Have you heard of it? A. Yes.
- Q. Have you tried it? A. No.
- Q. Have you seen it tried? A. Electrical control?
- Q. Yes. A. No.
- Q. There is physical control. As an investigator having heard about that, have you tried it? A. What do you mean by physical control?
- Q. Somebody holding the medium? A. No, that is not necessary.
- THE RECORDER: Are we not getting a little too metaphysical altogether.
- MR. ELAM: My Lord, he comes as an expert, and I want to test his knowledge. (*To the witness*) Have you never tried that? A. I do not consider it necessary when working in red light; you can see everything and it is not necessary.
- Q. Have you ever seen it tried? A. I have seen the medium roped in a chair.
- Q. Have you ever seen one held by anybody? A. Yes, both held and phenomena produced.
- Q. Have you ever seen a seance in a white light? A. Do you mean a materialisation seance in a white light?
- Q. Yes. A. I do not think any medium can produce phenomena in a white light.
- Q. Have you ever tried to do it? A. No, because it is a waste of time.
- THE RECORDER: It cannot be done in broad daylight or a brightly lit room?
- A. That has happened from books I have read, but I have never witnessed it.

Re-examined by MR. LOSEBY.

- Q. Working as you have worked, has the light been sufficient for an intelligent observer to observe any suspicious movement? A. Usually.
- Q. You have now been directly asked about the theory of regurgitation which I want quite shortly to deal with. You know about that theory? A. Yes.
- Q. Has it been treated seriously by any intelligent psychic researcher for the past ten years? A. No, it has been laughed at.
- Q. May I take it that you are as anxious to discover fraud as anyone else? A. Yes, certainly.
- (*Mr. Loseby held up a length of butter muslin which the Prosecution had at times shown to other witnesses.*)
- Q. Using this or anything like it, would it be possible by fraud to exude something like this previously concealed in the pit of the stomach and thereafter regurgitated? A. No, I don't think so.
- Q. What would you expect it to look like after it was regurgitated?
- THE RECORDER: Well, you are not a doctor and you say it is not possible to do it. A. Well, sir, if it was possible to do it I should think it would be covered with food stains, it would be soggy and damp.
- THE RECORDER: I think we can conclude that for ourselves.
- MR. LOSEBY: My Lord, this has been put up against me half a dozen or ten times in cross-examination.
- THE RECORDER: Yes, and the witness has said what you would expect. One hardly wants an expression of opinion from him; it seems to stand to

reason. (*To the witness*) It would have a smell too, would it not? *A.* I should think so.

MR. LOSEBY: I am much obliged to your Lordship. (*To the witness*) You say on one occasion you gave her a meal of meat and vegetables shortly before a sitting? *A.* Yes. I did not give it to her; she had it at the house.

Q. Thereafter did you observe such whiteness as there was in the materialisation? *A.* Yes.

Q. What nature of whiteness was it? *A.* Absolutely pure white.

Q. Have you observed this particular ectoplasm, this whiteness, closely on many occasions? *A.* Yes, on all occasions.

Q. Of what nature of whiteness is it? *A.* Sometimes it shimmers; it is a brilliant white.

Q. Is it at times more brilliant than at others? *A.* Yes.

Q. When have you observed it more brilliant than at other times? *A.* When the conditions of the sitting are particularly good, when the conditions are harmonious, you seem to get a greater brilliance.

Q. As regards this particular thing called ectoplasm, has this particular whiteness been the subject of close examination by psychic researchers over a period of time? *A.* Yes.

Q. Is there any real similarity at all between this butter muslin here and this ectoplasm or whatever it is called, when closely observed? *A.* No, that butter muslin looks dead compared with ectoplasm.

Q. In answer to my friend Mr. Elam you said you would not dream of leaving a white light exposed to a medium at that time in trance, presumably exposing ectoplasm. What would you expect to happen if you did? *A.* If one exposed a white light without warning, the ectoplasm would disappear. It might rush back to the medium or it might disappear in front of you like that. It might be whisked away in any direction, but it would disappear. It might go instantaneously; it might take several seconds.

Q. Would you expect it to have any physical result upon the medium? *A.* Certainly.

Q. Perhaps you do not know the answer, and perhaps nobody does. Scientifically, why? *A.* Well——

Q. If you don't know the answer don't tell me, because I don't know. *A.* The answer is this: that the ectoplasm is drawn mostly from the medium's body. The ectoplasm is semi-physical, and part of the medium's etheric body is contained in that ectoplasm. You have got the medium's body in an unstable state while ectoplasm is out. If you shone a light on the body while the ectoplasm is in that state, you will find the medium will suffer pain or bruising and might be crippled in some way, even might be killed.

THE RECORDER: Have you known of such a case? *A.* There are cases——

Q. Have you ever known one? *A.* No. I have read of such cases. I have seen burns on Mrs. Duncan.

Q. We have all seen burns on people. Have you ever been present when anybody has shone a light and this has happened? *A.* No, a light has never been shone without permission.

MR. LOSEBY: Did you say you had seen burns on Mrs. Duncan? *A.* Yes.

Q. Following upon what? *A.* Following, I understand, on one of the sitters touching the medium.

THE RECORDER: At one of the sittings? *A.* Yes, my Lord, during the Duncan sitting. It seems to act as an earth of some sort; it closes a circuit.

MR. LOSEBY: Have you ever heard of any burn or anything of that kind following a light being shone? *A.* I saw a burn on Mrs. Duncan that had happened at a previous sitting.

Q. Were you present at the previous sitting? *A.* No.

MARY JANE BLACKWELL, SWORN.

Examined by MR. LOSEBY.

- Q. What is your name? A. Mary Jane Blackwell.
- Q. Do you live at 20 Cathcart Hill, London? A. Correct, sir, Flat 6, 20 Cathcart Hill.
- Q. Have you sat with Mrs. Duncan on many occasions? A. Very, very many occasions.
- Q. Nearly a hundred? A. Yes, I should say so.
- Q. What was the fee ordinarily paid? A. It was divided amongst the sitters, and we paid £8 a sitting to Mrs. Duncan.
- Q. Whether you are right or wrong in the matter, did you personally regard it as a reasonable fee or not? A. Very reasonable.
- Q. During that period of time how many materialisations, roughly speaking, have you seen? A. Well, it is most difficult, because I have seen fifteen or sixteen at a sitting, and I have sat a hundred times, therefore I could say fifteen or sixteen hundred.
- Q. You have seen many? A. Very, very many.
- Q. Where have these sittings been held? A. At 44 Baker Street, or at my flat, 20 Cathcart Hill.
- Q. Under circumstances with which you were satisfied? A. Absolutely.
- Q. You sat with her a hundred times?
- THE RECORDER: Either at your flat or at an address in Baker Street? A. Yes, number 44.
- Q. What is that? A. It is the Pathfinders Spiritualist Society, of which I am the president.
- MR. LOSEBY: During that period of time how many identifications or supposed identifications have you known to be refused? I mean to say, somebody saying, "No, that form you say is so-and-so is not so-and-so". A. Only one; in only one case was it refused.
- Q. Have you had identifications that you yourself could check and verify? A. Oh, yes, I have had ten of my own relations.
- Q. Give us quite quickly who they were.
- THE RECORDER: What date are you going to speak to? A. Very many dates, my Lord; I have sat so many times I cannot very well give you all those dates.
- THE RECORDER: I can't go back indefinitely.
- MR. LOSEBY: I thought your Lordship might like to get the numbers only.
- THE RECORDER: We have got the numbers.
- MR. LOSEBY: And who they were, my Lord.
- THE RECORDER: We have got the round number of these manifestations or materialisations. (*To the witness*) Do you want to tell us about any particular one? I prefer you to give us some idea as to the date, whether it was last year or five years ago? A. I will give you last year if you like, my Lord. My father manifested; it has been my privilege to see two manifestations at the same time. While one spirit was manifesting in front of the curtain I was at the side of the curtain and my father came out from the side, patted me on the hand and spoke to me, and then came to the centre.
- Q. This was one of Mrs. Duncan's sittings, was it? A. Yes.
- Q. "Last year I saw my father": is that right? A. Quite correct, my Lord.
- THE RECORDER: "At one of Mrs. Duncan's manifestations".
- MR. LOSEBY: How do you know it was your father? A. Well, no one can tell me whether it is my father or not; I know him; I saw him.
- THE RECORDER: Did you touch him? A. He touched me and I touched him.
- Q. Was it something you could hold? A. Shall I put it this way? I was his favourite daughter and, as he passed me, the old man used to pat me on the hand and, as I sat there, the pat came on to my hand.

Q. Did you touch him? A. I touched him; I have touched spirits.

Q. Did you touch him? A. Yes.

Q. Did you touch him like you could touch that desk? A. Yes.

Q. Was it something you could hold? A. Something solid; it felt as if you were touching a statue. Shall I put it that way?

Q. Do you mean something cold? A. Something very hard.

MR. LOSEBY: Were you certain of the identification? A. Absolutely certain. May I give the reasons?

Q. No, I would rather you didn't; I want to get on.

THE RECORDER: Was this at your flat? A. At my flat, my Lord.

MR. LOSEBY: Were you certain of the identification in every case? A. In every case.

Q. Did you test it with your eyesight? A. Yes.

Q. And your hearing?

THE RECORDER: That is rather going into details. She said she was certain. A. Absolutely certain.

THE RECORDER: So much for your father's manifestation.

MR. LOSEBY: Who else was a close relation to yourself? A. My husband.

THE RECORDER: Was this the same occasion? A. No, a previous occasion.

Q. How long ago was that? A. About four months previous to that. I sat with Mrs. Duncan three times a year.

Q. Was this at your flat? A. At my flat.

Q. Had you seen him before? A. Yes, my Lord.

Q. And since? A. And since.

Q. Always through Mrs. Duncan? A. No, my Lord.

MR. LOSEBY: You have seen your husband both through Mrs. Duncan and other materialisation mediums? A. Yes.

Q. How close to your husband did you get? A. Within two feet.

Q. Had you any doubt of any kind of your recognition? A. None.

Q. How did it affect your mind? A. I was overjoyed. He spoke of our daughter who is living.

Q. Anybody else who was a close relation? A. My mother.

Q. How close to your mother did you get? A. She was standing beside me.

THE RECORDER: Was this at the same time as your husband? A. No, before that, within three months of her passing, and she passed in 1937.

Q. You are going a long way back? A. I am. I have seen her many times since.

MR. LOSEBY: Was your mother in full physical form? A. In full physical form; my father was present.

Q. Your father was also present at that time? A. Yes, he was still living then; he was in the flesh.

Q. Was there any doubt in your mind about the identification? A. No doubt whatever.

Q. Were you satisfied that the light was good enough for you to see? A. Quite; in fact I have taken a torch in, and Albert—

Q. What other close relations? A. At the time my mother manifested, my aunt, her elder sister, was beside me; I had two at one time.

Q. Did you recognise her? A. Yes.

Q. By sight? A. By sight.

Q. By voice? A. By voice.

Q. Was there any doubt of any kind as regards the identification? A. None whatever.

Q. How close were you? A. She was beside me, and she said, "Come here".

Q. You have told us of your mother, your husband, your sister and your aunt? A. Yes.

Q. What other close relations? A. An aunt on the paternal side.

Q. Did you know her well? A. Very well indeed.

Q. Did she appear through Mrs. Duncan? A. Through Mrs. Duncan.

Q. How close to her did you get? A. I could have touched her.

THE RECORDER: Did you? A. No, we do not touch them until we are told to, my Lord.

MR. LOSEBY: Are you quite certain about the identification? A. Perfectly certain.

Q. Any other close relations? A. Yes, uncles; an Uncle Walter.

Q. Was it an uncle that you knew well? A. I know all my relations very well.

THE RECORDER: May we take it you have seen a large number of your relatives many times? A. Yes.

Q. Through Mrs. Duncan and other mediums? A. Yes.

MR. LOSEBY: And not only relations but friends as well? A. Close friends.

Q. Have you had any doubt of any kind with regard to any identification of which you speak? A. Never.

Q. In every single one of those cases could the form that you saw have been impersonated by Mrs. Duncan? A. No.

Q. In any single one of those cases as you have given them, could the voice have been simulated by Mrs. Duncan? A. No.

Q. How many different languages—just think for a moment on this—have you heard at different times. Give me the languages? A. French, German, Dutch, Welsh, Scotch, pure English and Arabic.

Q. The most interesting of all is the pure English. Have you heard pure English?

THE RECORDER: What does 'pure English' mean? A. As we should speak it.

MR. LOSEBY: I mean English spoken as it should be spoken. I meant that and no more, simple English. (*To the witness*) To use a vulgarism, have you heard cultured English used? A. Yes, very cultured.

Q. Have you observed Mrs. Duncan's own voice? A. Yes.

Q. Would you describe that as cultured English? A. No.

THE RECORDER: Is she not a woman who has been educated? A. Yes, but she speaks with a broad Scotch accent.

Q. That is quite possible, but is she a woman of education? A. No.

Q. Would you call her an educated woman? A. No, I shouldn't call her uneducated or educated; I should say she came between.

Q. She speaks with a broad Scotch accent, does she? A. I consider so; that is not to say I know much about Scotch.

MR. LOSEBY: You have heard her speaking naturally, have you? A. Yes.

Q. On many occasions? A. Very many occasions.

Q. Do you know the dialect she speaks in? A. I should not recognise it, but I know it is Scotch.

Q. Lowland Scotch? A. Yes.

Q. Have you observed different dialects of English? A. Yes.

THE RECORDER: Not too many refinements, please. We have got several languages. It is hardly necessary to go into dialects as well.

MR. LOSEBY: It makes my case still more subtle, my Lord.

THE RECORDER: Subtle?

MR. LOSEBY: If I can also prove different dialects of English.

THE RECORDER (*to the witness*): Were there different dialects? A. Yes.

MR. LOSEBY: I have already had a dialect of Spanish. Was Welsh spoken? A. Welsh was spoken.

THE RECORDER: She has told us that. A. And English spoken with a Welsh accent—or dialect, as I should call it.

MR. LOSEBY: I need not ask you about the variety of forms. Have the forms been of all sizes and all shapes? A. No.

Q. The forms that appeared? A. The forms that appeared have been of all sizes and shapes; they have not been the same.

Q. Including young children? A. Tiny, tiny children.

Q. As far as you have been able to observe, has the voice on every occasion corroborated the appearance? A. Yes.

Cross-examined by MR. ELAM.

Q. Mrs. Blackwell, you are frightfully keen on this, are you not? A. Yes, it is my religion.

Q. If it turned out—and I say “if” again—that you had been tricked, you would be bitterly disappointed, would you not? A. You could not trick me.

Q. Suppose you found out afterwards that you had been tricked, would you be very upset? A. I should, but I cannot imagine anyone tricking me on these things.

Q. You are just so certain that you cannot think of it? A. No, I could not.

Q. And not only are you so certain that nobody could trick you, but you just cannot imagine it, and you would be very angry, would you not? A. The whole of my life would be at an end.

Q. Everything about you would collapse like a pack of cards? A. Because I know the truth, and have seen.

Q. Did you found the Pathfinders? A. Yes.

Q. How long has it been going on? A. Eleven years.

Q. How long have you been President? A. Eleven years.

Q. How many members has it got? A. Up to date, fifty-eight paying members.

Q. You try to convert people to Spiritualism when you get the chance, I suppose? A. As it brought happiness to me, I want to bring happiness to other people. Naturally.

THE RECORDER: You need not answer this unless you like. Are you a believer in the Christian religion? A. Yes, my Lord.

Q. Why is Spiritualism necessary? A. Because those who, shall I say, profess the Christian religion have left out the part that pertains to Spiritualism, that pertains to the spirit; they follow the letter of the law instead of the spirit.

Q. Is that the only answer you can give? A. Because they say the orthodox church teaches us that by faith alone we are saved, while we, as Spiritualistic people, believe that the Word of God is still living, that God has not stopped talking, and he reveals himself to his people daily; and therefore we cannot be bound by creed.

Q. Isn't that all part of the Christian religion? A. No, the Christian religion binds you by creed and dogma.

MR. ELAM: And a fraudulent medium would be an absolute traitor to your cause? A. Yes, nothing could be too bad for a traitorous medium.

Q. You have told us you have seen fifteen hundred spirits and you have heard several dialects. How many animals have you seen in all? A. Seven or eight.

Q. What kind? A. Dogs, a rabbit, cats.

THE RECORDER: How does that help the Christian belief? A. As British people we are very, very fond of animals, and we could not imagine a heaven without animals.

MR. ELAM: It personifies the characteristics of the British race. Is that so? A. I consider so; we are animal lovers.

Q. What about football? A. I don't see why they should not bring a football if they want to.

Q. Have you ever seen that? A. No.

Q. Has your father, your husband, your aunt or your mother said anything really important as to what it is like on the other side? A. Yes.

Q. Give me one instance? A. My mother told me she was exceedingly happy, and that life had been worth it all; because, of course, everybody has troubles through life.

- Q. Yes, we do. A. And she considered that the whole thing was worth while, because you do attain something that is eternal on the other side, something that you can carry with you.
- Q. Was there anything else said as to what it was like in the beyond? Have we learnt something definite about it? A. Undoubtedly.
- Q. What? A. My aunt said she had learnt that the things of this world were ephemeral. She was a connoisseur of silver and that sort of thing, and her whole life was wrapped up in old silver; and she said it was not worth while, it was absolutely silly.
- Q. Have we gained anything by it, anything that we did not know before? A. I consider I have learned a great deal, because you learn that there is no person really dead, but that they are there waiting and that their love abides; and that is a big consolation.
- Q. We have heard that before. I am quite serious about this, because you have had such a tremendous experience, and I think you are the right person to ask. Can you give the court and the members of the jury some concrete instance of something which has been of benefit to the world, something we did not know before or that we could not find out from some other source—preaching or teaching or books? A. Yes, I feel that I can; I feel that I can say that we have learnt the right meaning of the coming to earth of Jesus, Who was the greatest incarnation of the Christ spirit that we have had, and we understand His real mission on earth, and we learn it better from the spirit world than we ever do from orthodox religion.
- Q. How long have you known Mrs. Duncan? A. Nine to ten years.
- Q. Do you know Mrs. Homer? A. No.
- Q. Do you know Mr. Homer? A. No.
- Q. Do you know Mrs. Brown? A. No.
- Q. Tell me about the test conditions. Would this describe them? Mrs. Duncan's clothing examined before and after the seance; dressed and undressed by a party of three ladies; cabinet examined, and chair examined. Would that cover everything? A. Yes.
- Q. Nothing beyond that? A. Nothing beyond that.
- Q. You have told us about the fifteen hundred successes; could you tell me about the one failure? A. A lady came with her father. They begged for a seat and we allowed them to come in because the father was anxious, but the young lady was determined from the beginning not to recognise anybody, consequently they did not pay.
- Q. What happened? Did you say "pay" or "play"? A. "Pay". We did not accept any money for that seance. They didn't pay because the young lady was not satisfied. A spirit came out and said it was her mother, but she would not recognise her.
- Q. What has payment to do with it? A. Nothing.
- Q. Do you pay by results? A. No.
- Q. How does payment come into it? A. If they were not satisfied we should not expect them to pay, and we should return the money if they had paid.
- Q. What did she say to show she was not satisfied? A. "I do not think it is my mother, and I do not want to know".
- Q. And so she didn't see anything? A. The form came out, and the father apparently spoke to the form.
- Q. Do you get lots of people claiming the same form at the same time? A. No.
- Q. Have you known that? A. I have known it, but it has been put right afterwards. Albert has explained.
- Q. What is the most you have known to claim the same form at the same time, even if it has been put right afterwards? A. Two.
- Q. Never more? A. Never more.
- Q. And one has been asked to stand down? A. Yes.

Re-examined by MR. LOSEBY.

Q. Now I am bound to ask you this. It has been suggested to you by my learned friend that these sittings have no real point or value. I only want you to deal with it from the point of view of Mrs. Duncan's materialisation sittings. Answer this question for me. Have you learned anything from the point of view of truth only from Mrs. Duncan's materialisation sittings?

A. Well, the immortality of everybody.

Q. The immortality of the—— A. Of the individual.

Q. In other words, that there is no death? A. There is no death.

THE RECORDER: That is not new as a doctrine? A. No, it is not new.

THE RECORDER: It is very, very old.

MR. LOSEBY: Not new. But has hope become a certainty? A. It has. It is not by faith, it is by certainty that we know and feel and see.

Q. Have you observed that hope has become certainty?

THE RECORDER: Do not lead her more than is necessary.

MR. LOSEBY: My Lord, I meant: do——

THE RECORDER: You can put your question without putting it in a leading form. If you cannot, you cannot put it at all. With your experience you can put the question without suggesting the answer.

MR. LOSEBY: Yes, my Lord, I did not intend it.

THE RECORDER: No, I am sure you did not, but that was unfortunate.

MR. LOSEBY: Your Lordship will forgive me, but it might react upon the minds of the jury on this issue of fraud if it was thought that there was no point in it.

THE RECORDER: Well, you can ask your witness what is the point.

MR. LOSEBY: Yes, my Lord, I want to re-examine on that point.

THE RECORDER: Yes, ask her and see what she says.

MR. LOSEBY: I am much obliged to your Lordship. (*To the witness*) If you have not thought on the subject, please don't tell me, but I expect you have. What is the point and value, as you think, of materialisation sittings?

THE RECORDER: I think you have answered that, have you not? A. I think so. To prove to people——

THE RECORDER: To prove immortality; that was your own answer.

MR. LOSEBY: Anything further? A. It renews people's hope and trust in the power of God, in our wonderful heritage.

THE RECORDER: That is putting the same thing in another way, isn't it? A. Yes. Shall I tell you what it gave me? It gave me courage.

MR. LOSEBY: Have you been assisted yourself? A. Tremendously. I felt I was giving up life entirely. I was in trouble, both mentally and physically, and I felt I could go on no longer; but, when this glorious knowledge came, it gave me courage to go along and face the difficulties of life.

Q. Have you yourself been assisted in the matter of the whole theory of the Universe? A. Certainly.

THE RECORDER: That is an enormous question. You say you have been helped? A. Helped. I would not be living now.

Q. It may be that some people may require Spiritualism to help them, and other people do not? A. Yes.

Q. You find it has helped you? A. Tremendously.

MR. LOSEBY: Has it been your experience—and I am speaking of Mrs. Duncan's sittings only—that they have also helped other people? A. Yes.

THE RECORDER: That can only be hearsay.

MR. LOSEBY: With the very greatest respect, my Lord, my learned friend suggested the contrary.

LILIAN BAILEY, Sworn.

Q. Are you Mrs. Lilian Bailey? A. Yes.

Q. You have also been a psychic investigator for some time? A. Yes, that is true.

- Q. Quite frankly, Mrs. Bailey, you yourself are mediumistic? A. Yes, I am.
- THE RECORDER: Does that mean you act as a medium? A. Yes, I do.
- Q. For reward, or voluntarily? A. Both.
- Q. What do you charge for a sitting? A. I do not charge anything; I work at the International Institute for Psychic Investigation.
- Q. Where is that? A. Walton House, Walton Street, London.
- Q. Do you receive a salary? A. Yes.
- MR. LOSEBY: Are you a well-known medium? A. Well, perhaps that is true.
- Q. Have you yourself sat with Mrs. Duncan? A. Yes, many times.
- Q. Have you sat quite recently with her? A. Yes, within the last fortnight or three weeks.
- Q. What fee have you usually been charged when you have sat with Mrs. Duncan? A. I think about ten shillings or something like that; 12s. 6d. perhaps. I don't know really.
- Q. Have you yourself been dissatisfied with the fee? A. Never.
- Q. Is it a fact that physical mediums do incur certain risks? A. Undoubtedly.
- Q. Are those risks, in your view, grave? A. They can be very grave.
- Q. Would you, as a medium, say that as far as mediums are concerned they are in a rather exceptional position? A. Undoubtedly.
- Q. Have you yourself had any personal identifications? A. Yes, I have.
- Q. Who were they? A. The very first time I sat with Mrs. Duncan I did not know her, she did not know me.
- THE RECORDER: Can you give me the year? A. Yes, about 1932 I think that was, as far as I can tell you now.
- Q. Twelve years ago. A. Yes, that was the first occasion on which I had ever met Mrs. Duncan. I sat in the seance, and the very first thing—
- Q. Where was that? A. At Staveley, near Nantwich in Cheshire, where I lived at the time.
- Q. A private house? A. Yes. The very first person to appear was my mother.
- MR. LOSEBY: Were you certain it was your mother? A. Good gracious!
- THE RECORDER: It is a simple question. A. Yes, definitely, quite certain.
- MR. LOSEBY: By sight and voice? A. Yes. She was a very tall woman, five feet eleven. She was very slim, and she had golden hair which she insisted upon my looking at. She took the shroud off her head, bent her head down to me and insisted that I took notice of her golden hair which was really her chief beauty. I think she was very proud of it and she wanted me to notice it. It was a particularly outstanding materialisation.
- Q. Any other case? A. Immediately following that my grandmother came, my father's mother, a totally different personality; quite short and rather excitable, just as she was. The amazing part of that, I think, was that she had a very long nose which the family always joked about, and she pointed to her nose and said, "I have still got this long nose", which was very highly evidential and satisfied me, of course, that she was just the same as she was when I last knew her on earth.
- Q. Only give us the personal identifications? A. I have not many other cases of personal identification.
- Q. Of yourself? A. They have not been so outstanding as many people, because I have not known them in the same degree.
- Q. Did you sit for a special purpose on the 15th March, 1944? A. Yes, I did.
- Q. Perhaps my friend would allow me to give the names here. Did you sit with a Miss Lawrence? A. Yes.
- Q. A Mr. Hawker? A. Yes.
- Q. A Nurse Davies; the Rev. Maurice Elliot; Mr. Hannen Swaffer; Mr. McIndoe; a Mr. Grey; and was there a photographer present? A. Yes.
- THE RECORDER: What date was this?
- MR. LOSEBY: The 15th March of this year.

THE RECORDER: Where was this? A. It took place at Marylebone House; I think it is 42 Russell Square.

Q. Whose house is it? A. It is the Association of Spiritualists, the Marylebone Association.

MR. LOSEBY: At that sitting did you observe certain phenomena? A. Yes.

Q. In regard to the phenomena only, tell us what the guide said. A. He said in a rather humorous way, "We have heard about the sheet, of the ectoplasm," and he showed us immediately a whole lot of ectoplasm, and he said, "You have heard a lot of an elusive sheet recently". Those were, I think, his very words.

THE RECORDER: Do you mean there was a reference to this case? A. Well, I think perhaps it was done, so anyhow—

MR. LOSEBY: Wait a minute please, Mrs. Bailey.

THE RECORDER: I am very reluctant to shut out anything, as you know, Mr. Loseby, if it is going to assist the jury at all.

MR. LOSEBY: My Lord, I had a proof before me, and I could not see on that proof any harmful words. I thought it was admissible merely by reason of explanatory matter of what followed, being phenomena observed, however produced. That was what I thought.

THE RECORDER: Yes.

MR. LOSEBY: My Lord, no more is said than that. Then follows an experiment.

THE RECORDER: All right, Mr. Loseby. I think I must take the responsibility of ruling that, while I have admitted these matters before this case arose, I do not think it would be right to admit anything which happened after this case arose. I do not know what date it was before the magistrates.

MR. LOSEBY: My Lord, I should like, rather anxiously, to explain the nature of the evidence I was going to give.

THE RECORDER: No.

MR. LOSEBY: Because I have a whole body of witnesses.

THE RECORDER: That I gather, but I think any manifestation after the date of this prosecution would be so under a cloud as not to be helpful to this court at all, and I do not think I ought to admit it.

MR. ELAM: She was committed for trial on the 29th February, 1944, my Lord.

THE RECORDER: When was the first hearing at Portsmouth?

MR. LOSEBY: It was quite definitely and quite deliberately after the sitting but I would like—

THE RECORDER: Let us get the date on the note. Do you agree the first sitting was the 29th February of this year?

MR. ELAM: No, my Lord, the first sitting was the 20th January of this year.

THE RECORDER: Someone must know it. Do you say it was that date?

MR. ELAM: I understand so.

THE RECORDER: Is it not on the depositions?

MR. ELAM: No, my Lord, it is not. I have looked to see. I can get it, and I do not think there is any dispute.

THE RECORDER: Where is the police officer in this case? Will he come back into the witness box?

FREDERICK DAVID FORD, *Recalled*.

THE RECORDER: As the learned Clerk of Arraigns has pointed out, the depositions were taken on the 29th February of this year. Can you give us the date when the hearing commenced. Was it all taken on one day? A. On one day, my Lord; they were committed on the 29th February.

Q. So all the evidence was taken on that day? A. Yes.

THE RECORDER: Thank you. There is your date, Mr. Loseby. I do not think it will make any difference. I must take the responsibility of ruling out any evidence of any seances or experiences after the 29th February. You

will, I suppose, tender evidence of seances after that date; is that what you do tender, Mr. Loseby?

MR. LOSEBY: Not altogether, my Lord.

THE RECORDER: I am only dealing with that; I am only ruling upon that.

MR. LOSEBY: Possibly your Lordship would, in the absence of the jury, allow me to tell you the exact points I have in mind as to why I contend and respectfully submit that it is relevant to what happened.

THE RECORDER: I have said I must take the responsibility. I do not think whatever is said, it can be relevant.

MR. LOSEBY: My Lord, if I were not allowed to address the jury on certain facts, I must tell your Lordship frankly I think I would be embarrassed. It goes just to this one point, really, and one point only. The jury may possibly have it in their minds. It may be true that Mrs. Duncan was at one time a materialisation medium, but it is possible that she was not a materialisation medium at the material time, and was thereby induced to commit some fraud or another. I can only displace that, as I would think, by proving that she was—of course I cannot prove it except by persons—a materialisation medium on the precise date; but, if I prove by any means that she was a materialisation medium immediately before and immediately afterwards by any evidence, scientific or otherwise, then I would have thought that the argument was almost conclusive that she was therefore a materialisation medium at the important time.

THE RECORDER: You have made your point abundantly clear, and I quite appreciate it. Just as evidence is not allowed to be given by the Prosecution in a case of conspiracy as evidence of the conspiracy of what is said even after arrest, let alone at the beginning of the proceedings, of any of the alleged conspirators, so in the same way anything that has taken place after this case commenced cannot be admitted as evidence for the Defence, because it is evidence which would, as I said, be under such a cloud that no jury would be assisted by it; and I think that on general principles it would be wrong to admit it. You have made your submission and that protects all your rights. I have ruled upon it and now we had better proceed.

MR. LOSEBY: Yes, my Lord. That is the point on which I was calling Mrs. Bailey.

THE RECORDER: Do you want to ask any questions upon the evidence which she has given, Mr. Elam?

MR. ELAM: Up to this juncture I would like to ask one or two questions, as otherwise it would be said we accept her evidence, which, as your Lordship knows, is not the case.

THE RECORDER: Yes, I follow.

LILIAN BAILEY, *Recalled.*

Cross-examined by MR. ELAM.

Q. Is your work at the Institution at Walton Street a full time job? A. No, about three days a week. That is the most I can give.

Q. When you say you are an investigator, can you help me about that? Does it mean you go round looking for frauds, or that you investigate the subject of Spiritualism other than that? Do you see what I mean? A. Yes, I do see what you mean. I would like to say I have investigated all kinds and types of phenomena over eighteen years, and I am still interested in any type of phenomena anywhere produced. If I thought there was fraud or any conspiracy to defraud, I would naturally do my best to bring it to light and help prevent it as far as possible.

Q. One of the other investigators, when he found anything he did not like, left it severely alone. You wouldn't do that? A. No.

Q. You would drag it out into the light of day, with the view of it being exposed? A. I would, because to me it is something very sacred.

- Q. Did Mrs. Duncan sit at the house in Cheshire with you? A. No. She came, I think, from somewhere near St. Helens at that time.
- Q. Had she been touring about, giving seances? A. I don't think so.
- Q. Were you hoping to see your mother in 1932? A. No. I expected very little.
- Q. I suppose, if there was any one person that you did want to see, it would have been your mother, would it not? A. No.
- Q. Who else? A. There is another in spirit I would have liked to see more even than my mother.
- Q. May I ask who? A. Someone who was the greatest friend I have ever had in my life.
- Q. Would your mother be next in your mind that you would like to see after that person? A. Perhaps, but I have no fixed idea of anyone.
- MR. LOSEBY: My Lord, the decision of your Lordship on that point means, I am afraid, that I cannot go on for a moment.
- THE RECORDER: It may mean you will have to revise your list.
(Adjourned for a short time).

REV. MAURICE ELLIOTT, *Sworn.*

Examined by MR. LOSEBY.

- Q. Is your name Maurice Elliott? A. Yes.
- Q. Are you a clergyman of the Church of England? A. I am.
- Q. Where do you live? A. 97 Clifton Hill, St. John's Wood.
- Q. Have you been a psychic investigator for many years? A. I have.
- Q. Have you from time to time observed the phenomena called materialisation phenomena? A. Yes.
- Q. What is the value of materialisation phenomena from a scientific, philosophic and religious point of view? A. From a scientific point of view it opens an entirely new world to the physicist and, if only our scientists can discover and understand all about ectoplasm and about dematerialisation, it might affect all kinds of diseases such as cancer; they might be able to dematerialise the cancerous part. From a religious point of view, especially a Christian's, it turns a doubt and a hope into a certainty, and I think helps us to believe many of the stories referred to in the New Testament. For example, Jesus—
- THE RECORDER: I think you have made that very clear. If I may say so, it could not have been put better.
- MR. LOSEBY: If your Lordship thought it was a proper question, I was going to ask him—I thought I ought to get it on the record—if he was present for the purposes of an experiment on the 15th March, 1944.
- THE RECORDER: There is not much point in asking the question; because, whatever the answer is, I have got to abide by my own ruling.
- MR. LOSEBY: Yes. I thought your Lordship might allow me. The second question would be: Did you make certain observations?
- THE RECORDER: Yes, I think so; but I have, of course, already ruled upon it.
- MR. LOSEBY: Yes. I thought that I ought, if your Lordship would allow me, to put it on the record.
- THE RECORDER: To frame a question—I think you have framed the two questions which you would like to ask, but I should have to say the answers would be inadmissible. I think that covers the situation.
- MR. LOSEBY: The precise question would be: Were you there for the purpose of making certain observations; did you make certain observations?
- THE RECORDER: Yes.
- MR. LOSEBY: Therefore I need not formally put it.
- THE RECORDER: No, you need not. I should think that quite protects your rights.

Cross-examined by MR. ELAM.

- Q. You are Church of England, are you? A. Yes.
- Q. Would you agree that one of the great tenets of the Church of England religion is faith in the New Testament? A. Yes.
- Q. Have you ever known a case where spiritualism has cured cancer or anything of that kind directly? A. No.

Re-examined by MR. LOSEBY.

- Q. Have you ever known a case in which entities described as being of another world have assisted in curing physical diseases? A. Many.
- Q. It is a matter of high importance and well understood by psychic investigators? A. Yes.

FREDERICK CHARLES HANNEN SWAFFER, *Sworn.*

THE RECORDER: Now take the oath properly.

(The witness was resworn.)

Examined by MR. LOSEBY.

- Q. Is your name Frederick Charles Hannen Swaffer? A. Yes.
- Q. Do you live at 8 St. Martin's Place, London? A. Yes, Trafalgar Square.
- Q. Are you a well-known journalist? A. Yes.
- Q. And dramatic critic? A. I have been.
- Q. Have you, too, been a psychic investigator for more than twenty years? A. Roughly twenty years.
- Q. Have you investigated every kind and type of psychic phenomena? A. Every kind, in a good many countries.
- Q. Have you also in a good many countries investigated the type of phenomena called materialisation? A. In this country, and right across America.
- Q. Has the last form that I have described a high importance? A. It is of very great importance to people who doubt the survival of their beloved dead.
- Q. Is it of main importance? A. Its main importance is that the spirit world, through it, proves survival.
- Q. Have you observed the phenomena of Mrs. Duncan? A. Yes, on five or six occasions.
- Q. Under test conditions are there certain qualities and properties common to all materialisation mediums? A. I don't understand what you mean by that. - Through them all a certain group of a very wide range of psychical phenomena function.
- Q. What exactly does happen in the case of a materialisation medium? A. Ectoplasm appears from the mucous membrane, sometimes the solar plexus, sometimes the ears or nose, and forms itself into a mass of ectoplasm which appears to be living. In the case of Mrs. Duncan it looks like white snow; living snow, I mean.
- Q. Have you observed this ectoplasm on many, many occasions? A. I would say fifty occasions.

THE RECORDER: With Mrs. Duncan? A. No, on five or six occasions in the case of Mrs. Duncan.

- Q. What is the last date with her which you can recall? A. The last case was since this case was sent for trial, my Lord.
- Q. Do you remember any sittings with her before this case began? A. Yes, in 1932.

MR. LOSEBY: Whilst we are on this subject of ectoplasm, is it usual for materialisation mediums to require a cabinet? A. Well, the word 'cabinet' has somehow grown up into this; actually it is a small curtain which the spirit guides say they need for the collection of power behind it,

and so we use it. We merely use it. We have discovered that it functions and so we use it. Without the cabinet the same phenomena might take longer to begin, and from experience you use the easiest way to obtain phenomena.

- Q. Is it a fact that you do appear to get better results when a cabinet is used? A. It would seem to be so.
- Q. What part, if any, do the actual sitters play in this question of materialisation phenomena? A. Merely the same part that all sitters play during all psychological phenomena: that the more you can establish between them a unity of vibration, a good atmosphere, the more easily can phenomena begin just the same as it is the best way to get conversation to begin during a dinner party.
- Q. Have you yourself ever observed any particular smell when ectoplasm is present or you think it is present? A. No, I have heard of smells; I have not observed them.
- Q. You have not observed them? A. No, I have never noticed one in the case of Mrs. Duncan, for instance.
- Q. When you have worked with Mrs. Duncan, what light have you worked in? A. Always a good strong red light, under which you could see right across the room.
- Q. Have you observed—you yourself, Mr. Swaffer—this ectoplasm with particular care and interest? A. On one occasion I saw Mrs. Duncan leave the cabinet and walk backwards six or seven feet, and all the time the ectoplasm was pouring apparently from her nostrils into a sort of thick rope.

THE RECORDER: Can you tell me roughly what year that was? A. That was this year.

Q. After this case began? A. After this case.

MR. LOSEBY: I didn't know that that was the answer.

THE WITNESS: But in 1932 I have seen it billow—

THE RECORDER: All right, Mr. Loseby, you go on. It is a pity we have transgressed the boundaries, but it can't be helped.

MR. LOSEBY (*to the witness*): Did you observe the ectoplasm on the first occasion that you sat with Mrs. Duncan?

THE RECORDER: Twelve years ago? A. On every occasion.

MR. LOSEBY: I want you to be good enough to describe this ectoplasm a little more closely. Could it, for example, be mistaken for butter muslin? A. Anybody who described this ectoplasm as butter muslin would be a child.

Q. Would you mind taking that in your hand. (*The witness was handed the butter muslin.*) Could such phenomena as you have observed be reasonably simulated, for example, by that? A. No, because under a red light this would become slightly pink, perhaps. How can red light make that living whiteness?

THE RECORDER: Ectoplasm is impervious to red light, is it? A. Just the same, my Lord, as the actinic rays destroy or impede the production or development of a photograph, so would the actinic rays which the red light gives out prevent or hinder the arrival of the ectoplasm.

Q. That is not what I asked you. The ectoplasm appears white, you have told us? A. Yes, slightly blue, a slight blue on white.

Q. And the red light is not reflected on it or through it in any way? A. Not in any sense. There is no suggestion of red of any kind.

MR. LOSEBY: Now, in the case of Mrs. Duncan only for the moment, have you observed anything particular in regard to the whiteness of ectoplasm? A. I would say that in Mrs. Duncan's case the ectoplasm is whiter than I have ever seen it.

Q. In your view, having observed phenomena with Mrs. Duncan, could any

real assistance possibly be given to any fraudulent minded person using that and— A. Since you have searched the medium before she enters the cabinet, how can she have this with her?

Q. How do you know she has not concealed it? A. Because it would be soggy and wet. Besides, she has a normal stomach.

Q. Have you observed that genuine materialisation mediums react to white light, the effect of a torch deliberately shone or the effect of a photograph taken suddenly? A. On the first occasion I sat with Mrs. Duncan I had her taken along to the house of a friend in the Finchley Road. All the people of the house were strangers to Mrs. Duncan and, as there were some new sitters at the seance, I warned them carefully and deliberately as an expert on psychical phenomena against the danger of showing any light of any kind. Unfortunately Ernest Gaten, one of the sitters, had been speaking at the Queen's Hall and he arrived late, and he rapped on the door after the seance had started, and John Rubens, a new sitter altogether, went to help him by opening the door; and foolishly, not having heard the warning—because Rubens came in after I gave it—he struck his lighter. Immediately the sitting was stopped and Mrs. Duncan bled furiously from the nose. It might have seriously injured her.

Q. What is the conclusion to be drawn from that? A. That you should be very careful about light.

Q. What conclusion do you draw? A. That she is in a supernormal condition.

THE RECORDER: That was in 1932? A. 1932, my Lord. On one occasion a medium was blinded for life in a similar way.

MR. LOSEBY: Would that be one of the means of testing a materialisation medium? A. Certainly, because it shows a supernormal condition.

Q. Might it be, in your experience as a psychic investigator, an almost final test? A. It would be a very important test.

Q. You mean that, if one were testing a materialisation medium and one turned a light suddenly upon it, there being no other explanation, and that medium physically reacted to it immediately— A. Certainly, because it couldn't happen in the case of a normal person.

Q. Did you, upon the occasion you have spoken of in 1932, conduct a certain experiment with Mrs. Duncan? A. Yes.

Q. Are these the notes? A. Those are the notes made at the time. I know what they are, because I can recognise them from here.

Q. I think you ought to glance at them. I notice that your signature is on every page? A. Yes, it bears my signature and the names of four friends I took along.

MR. LOSEBY: My Lord, might Mr. Swaffer be allowed to glance at them?

THE RECORDER: To refresh his memory, yes; he probably remembers them.

MR. LOSEBY: Can you remember the incident? Was it a test sitting? A. I took along four magicians.

THE RECORDER: Was it a test sitting? A. Yes. In order to make it one I took along four magicians, two professionals and two doctors who were amateur magicians.

Q. What was the test? Can you tell us in a sentence or two? A. Mrs. Duncan was tied by forty yards of sash cord; she was handcuffed with police regulation handcuffs, and her two thumbs were tied tightly together with eight yards of thread, so that the thread ate into the flesh. This was done by a professional magician. Even then the phenomena persisted.

Q. What phenomena? Manifestations of a spirit? A. Manifestations. And although it took eight minutes for the magician to tie her up and although her two thumbs were tied, she was freed from the thread, the cord and the handcuffs, without assistance, in three minutes. Houdini couldn't do that.

- Q. Was Houdini one of the magicians you took with you? A. No, no, no, my Lord.
- MR. LOSEBY: Did you have a personal identification on that occasion? A. No.
- THE RECORDER: Do you remember who the guide was on that occasion? A. What, my Lord?
- Q. Do you remember who the guide was? Was the name mentioned? A. Yes, Albert, the guide who always acts for Mrs. Duncan.
- Q. Do I understand you to say she was released by the same people? A. No, my Lord, obviously by the spirit guide. No one else touched her.
- Q. You say it took three minutes? A. Three minutes to come out of the tying, which had taken eight minutes to tie up.
- Q. Was that the only manifestation, or were there manifestations of spirits while she was tied up? A. There was ectoplasm, my Lord.
- Q. Did anybody appear in the ectoplasm? A. No. You see, the arrival of the ectoplasm itself is a supernormality.
- MR. LOSEBY: Did you hear my Lord's question. Mr. Swaffer is a little deaf, my Lord.
- THE RECORDER: I noticed that. I am slightly raising my voice, and I think he heard. He said ectoplasm appeared.
- MR. LOSEBY: There were no materialisations on that occasion? A. No.
- Q. Have you been a dramatic critic? A. Unfortunately, yes.
- THE RECORDER: For whom? A. What for, my Lord?
- Q. You said "unfortunately". For whom? A. Unfortunately for the poor critic who has to sit through it, my Lord.
- MR. LOSEBY: Would you know most of the actors in London? A. Some of them don't know me.
- Q. It has been suggested, Mr. Swaffer, that the phenomena exhibited by Mrs. Duncan could be simulated by a highly skilled actor. Is that your view? A. My view is that the wildest statements are made in the case of psychic phenomena. I have heard, for instance, that it is ventriloquism. When I have challenged a ventriloquist to throw his voice, he has failed to do it. In the case of Albert, he has a distinct personality. His character, his bearing, his voice, his general approach to anything is utterly different from that of Mrs. Duncan. She is a rather good-natured—
- THE RECORDER: You are not really answering the question which was put to you. You are giving us a dissertation. A. I'm sorry.
- MR. LOSEBY: Could the greatest actor you have ever known simulate with a reasonable likeness, if he was laying himself out for fraud, the phenomena? A. It is possible for an actor to impersonate a good deal—that is his job—but a medium cannot do it. I couldn't do it, and I am a fairly good actor.
- Q. You could not do it, but could anyone you know—such phenomena as you have observed? A. No, I have experienced sittings where a dozen or twenty have appeared.
- THE RECORDER: Now, Mr. Loseby, you must keep your witness in order. A. Albert is a separate entity.

Cross-examined by MR. ELAM.

- Q. What sort of voice would you say Albert has got? A. Well, it has altered. When I first heard it, I used to hear that it was a Cockney voice.
- Q. We haven't heard that? A. I've heard it said it was an Australian voice. As a dramatic critic I have often found it very difficult to describe voices. I find people doing it loosely, but I can't do it.
- Q. Do you agree that it was Cockney when you heard it? A. I don't think so, no.
- Q. Would you agree it was Australian when you heard it? A. There are all kinds of Australian voices. There is Melba's, for instance.

- Q. Any kind of Australian voice, leaving Melba's out of it? A. I don't profess to be an expert on such matters.
- THE RECORDER: Do you think that Melba could have sung 'Annie Laurie'?
- A. Yes, I was at her last appearance, my Lord.
- THE RECORDER: She would not have found it too high in an ordinary key? I only asked the question because the matter has been mentioned here. You have not, of course, been here. The question arose, and that is why I was asking you for your assistance.
- MR. ELAM: Have you been to Australia? A. No.
- Q. Have you heard Australians speak in this country? A. Yes, but they speak all sorts of dialects?
- Q. Had Albert a voice like any one of those? A. It might be.
- Q. Anything like a Canadian voice? A. I don't think so.
- Q. Are you familiar with what is sometimes called the Oxford accent? A. Well, that varies too, you know.
- Q. Does Albert talk anything like any variation of that? A. It might be like one Oxford accent.
- Q. You have said "It might be" to every question I have asked you so far. A. Well, there is no such thing as a fixed Oxford accent. It's only a phrase that has grown up. It's a B.B.C. idea; that's all.
- Q. Which do you think he was most like, Oxford, Australian, Canadian or Cockney? A. I don't remember; this was in 1932. For a voice you try to remember a voice of yesterday.
- Q. Which do you think it was most like? A. Neither. I've got no particular view on that.
- Q. When did you last hear Albert speak? A. Two weeks ago.
- Q. So you have heard him since 1932? A. Yes, it was less uncouth then.
- Q. You are rather an expert on this, aren't you? A. On what?
- Q. On Spiritualism? A. Well, I've sat for twenty years. I have a home circle of my own.
- Q. Are you psychic yourself? A. No.
- Q. Have you acted as a medium yourself? A. No.
- Q. Have you got a guide? A. Oh, yes.
- Q. What guide is this, may I ask? A. My guide is an Egyptian.
- Q. We've had a Red Indian. Is yours a man or a woman? A. A man.
- Q. May I ask the name? A. Darak Ahmed.
- Q. How did you first realise that you had a guide? A. I was told so.
- Q. Whom by? A. By the guide of the circle in which I was sitting.
- Q. Was he an Egyptian? A. No.
- Q. What nationality? A. An Indian.
- Q. We have heard ranks go by the board, but nationalities keep their place on the other side, do they? A. In the sense that, when spirits return here, they return more or less in the form in which they left here. In the course of years they change, they develop, they expand, they broaden.
- Q. How long does it take to change, because we have heard of some of them being the same after twenty years? A. It would vary.
- Q. Can you give me an average? A. I can quote the case of one particular spirit.
- Q. Can you give me an average as to how long they take to change? A. No, nor about anything here in this world.
- Q. Have you investigated fraudulent mediums? A. No, I have investigated mediums.
- Q. Have you found any to be fraudulent? A. No.
- Q. Not one? A. No.
- Q. Are you a member of any Spiritualistic body? A. Yes.
- Q. Are you in the fortunate position that all the mediums you have investigated

have been genuine? *A.* You asked me if I had investigated any fraudulent mediums.

Q. Yes. *A.* No; I have investigated mediumship.

Q. Have you investigated any mediums that have later turned out to be fraudulent? *A.* I have investigated mediums who have been accused of being fraudulent. From the beginning of our case the accusation has been brought against us. Any fool can charge you, my Lord, with anything.

Q. Has the accusation sometimes turned out to be well founded? *A.* Not in the case of any medium that I know.

Q. But you have heard of such? *A.* I have heard a good lot, yes; for ninety years we have had to stand that accusation.

Q. You have never caught one yourself? *A.* No.

Q. Were the test conditions under which you sat with Mrs. Duncan that her clothing was examined before and after she was dressed and undressed in the presence of other people, and the chair and cabinet examined? *A.* Every test that could be applied was made; she was stripped and searched; she was wearing only black.

Q. Were all the tests that Mrs. Duncan was subjected to all that were possible? *A.* Everything that could be done, yes.

Q. What about any electrical control? *A.* How can there be electrical control in a room to which Mrs. Duncan is a stranger in a friend's house?

Q. I am sure you will answer, because I have a reason for asking this. Were any electrical controls used? *A.* No, we sat in a room.

Q. Did anybody have hold of her? *A.* No.

Q. Were you present when another medium, Rudy Schneider, was investigated? *A.* Yes, I sat with Sir James Dunn, Lord Charles Hope and some other people.

Q. I didn't ask for that. *A.* Please let me go on. In Harry Price's laboratory, where so-called tests of an electrical form were applied. For instance, our feet were put into——

THE RECORDER: You shall explain in a moment. *A.* Can I go on, my Lord?

Q. No, I think the only way to proceed is by answering questions. *A.* Yes; all right.

THE RECORDER: The first part of it is "Yes"; you can elaborate it later on, perhaps.

MR. ELAM: So you will agree that tests were applied there which were not applied to Mrs. Duncan? *A.* The secretary was still walking about the room.

Q. I am sure you will answer the question and save the jury's time. *A.* In fact I wrote to Harry Price and said it was no test.

Q. You didn't like the test? *A.* I objected to it, because it was not a test; his secretary was still walking about the room, and I said it was ridiculous.

Q. She was covered with phosphorus, was she not? *A.* Not the night I was there, no, no, no.

Q. You didn't like that test? *A.* I merely pointed out it was not good enough; I wanted a better one.

Q. Was something having hold of Rudy Schneider? *A.* Not when I was there; I saw phenomena.

Q. I was exploring your answer that every test that could possibly be applied was applied to Mrs. Duncan. Are you seriously telling us that there is no other test which you can think of that could have been applied to Mrs. Duncan? *A.* Nothing that mattered.

Q. Was she ever X-rayed? *A.* I can't produce them, I am told.

Q. Was she X-rayed while you were there? *A.* No, you don't do it every time.

Q. Was she given any coloured pill to see if the ectoplasm was coloured when it came out? *A.* It has been done to her, but not at this time.

MR. LOSEBY: May I call your Lordship's attention to the fact that this regurgitation point is being again raised. When I was calling direct evidence on the matter, your Lordship thought it was not admissible.

THE RECORDER: I do not follow the objection, Mr. Loseby. So far as I do follow it, I do not think there is anything in it. There is nothing to prevent this witness being asked a question about regurgitation. There is nothing to prevent the matter being raised. If the witness knows nothing about regurgitation and he says so, there is an end of the matter. There is nothing in it.

MR. ELAM: Did the meetings when you were present with Mrs. Duncan open with prayer? A. No, but I don't see that it matters. Sometimes this court opens with prayer, I think.

Q. Would you agree that, if a meeting is opened with prayer and a red light and so on, it makes people who, at any rate, are going to it for the first time, in rather a receptive state of mind? A. No.

THE RECORDER: Isn't that a matter of comment, Mr. Elam? A. Does prayer make one receptive inside of a bus?

MR. ELAM: I did not ask you about inside of a bus. I said in a drawing-room, where they perhaps had lost somebody? A. Not if they were not believers in prayer. Many people are agnostics, you know.

Q. Does the position of the sitters make any difference? A. No, they sit in a circle.

Q. It is better that they should have their particular chair assigned to them? A. It might be.

Q. How would it help? A. You want to create something which can best be explained as something like an electrical circuit, and, if a medium can sense that one particular sitter would help the vibrations by moving, he is asked to move. That's all.

Q. Do you say it makes no difference if the seats are arranged beforehand? A. For instance, in my own circle we always sit in the same place; it helps the vibrations. The same as you do at a dinner table, you know.

Q. Did figures come out from the cabinet when Mrs. Duncan was sitting? A. In 1932, yes; on one occasion eight.

Q. Did the curtains move? A. Yes.

Q. Who moved them? A. The spirits, as they came out.

Q. Did they move when the spirits went back again? A. Yes.

Q. You say Mrs. Duncan has got a normal stomach. Have you got any medical qualifications? A. No, but I have got the photographs here, my Lord.

Q. Have you yourself examined it? A. No, but here are the photographs.

Q. Yes, I heard you last time. A. That is an answer.

Q. Have you ever made any experiments with anybody swallowing butter muslin? A. I have tried it myself.

Q. How much? (*The witness pointed to the butter muslin.*) A. May I try to swallow that?

THE RECORDER: No. A. May I have the cheesecloth, my Lord; I have heard about that ridiculous cheesecloth.

THE RECORDER: Don't be violent; you shall not be bothered with the cheesecloth.

MR. ELAM: How did you get on with your experiment? A. What with?

Q. With the butter muslin? A. I wish I had.

Q. I thought you said you tried to swallow some? A. When we heard of this silly cheesecloth thing we used to play about with it and try to swallow it.

THE RECORDER: That was all after this case? A. We wanted Harry Price to try to do it.

MR. ELAM: Had you ever heard of it before? A. No, never heard of such nonsense.

- Q. Had you experimented before this case with butter muslin in a red light?
 A. I never heard of it until Mr. Price invented this new lunacy, cheesecloth.
- Q. If somebody puts a light on suddenly, the ectoplasm rushes back into the medium, does it? A. Yes.
- Q. Always back into the medium? A. Yes, not out of the door or out of the window.
- Q. If it is genuine ectoplasm it would rush back into the medium's body at once, would it? A. Yes.
- Q. It would not go forward towards the sitters.
- THE RECORDER: You have got your answer, Mr. Elam. A. It is attached to the medium; it goes back into the medium to whom it is attached.
- MR. ELAM: Did you examine Mrs. Duncan's nose in 1932? A. Nose?
- Q. Yes? A. She has an ordinary nose.
- Q. Did you examine it? A. No.
- Q. When it bled? A. I saw the blood coming from the nose.
- Q. Did you examine it afterwards? A. I looked at it. What else does one do but look at a nose that is bleeding? What are you supposed to do, I mean.
- Q. Was there any doctor there? A. No. He would still see a nose bleeding; that's all. Surely I can tell when a nose is bleeding, my Lord.
- Q. I didn't ask you that. A. Surely I can tell when a nose is bleeding.
- Q. I merely asked you if you had looked at it closely.
- THE RECORDER: Did she have to have any medical attention that day? A. No; she rested.
- MR. ELAM: You hold very definite opinions about this matter, don't you? A. I have seen genuine phenomena. I am a trained observer; my word is taken when I report things.
- Q. I am sure you will answer a perfectly civil question. You hold very definite opinions about Spiritualism, don't you? A. My opinions, very fixed, are based on evidence which is incontrovertible.
- Q. And the answer in one syllable is "Yes", is it not? A. Yes.
- Q. Do other dramatic critics always agree with your opinions about a particular play? A. That is not a matter of fact.
- THE RECORDER: No, Mr. Elam. A. For instance, I remember the wicked earl when he came down the chimney; we had a difference of opinion about that.*

Re-examined by MR. LOSEBY.

- MR. LOSEBY: You asked to have that [butter muslin] in your hand—
- THE RECORDER: I said he was not to have it in his hand for the purpose of any experiment. A. Well, my Lord, it is obvious, isn't it?
- THE RECORDER: This court is not going to be reduced to the level of an exhibition.
- MR. LOSEBY: So far as you have been able to observe, could butter muslin be used in any effective way at all?
- THE RECORDER: He has already said that it could not. A. No, I've said that it's merely a silly invention of Price's.
- THE RECORDER: You have already dealt with it.
- MR. LOSEBY: You were asked if Mrs. Duncan has been examined—I presume, in relation to the butter muslin theory. Do you know whether she has been examined? A. I know that X-ray photographs have been taken of her stomach. I have in my possession the medical certificate that shows she has an ordinary stomach.
- Q. Would you be good enough to produce the medical certificate? The answer is: she has been examined.

*This would appear to have some reference to Mr. Cyril Maude, the actor, who is the father of Mr. John Maude. On more than one occasion during his cross-examination, the witness appeared to think that Mr. Elam was Mr. John Maude.

THE RECORDER: I cannot allow this. Obviously it is not evidence. A. There it is, my Lord.

THE RECORDER: It is not evidence. This gentleman is not a doctor.

MR. LOSEBY: No; I am trying to ask him the question whether she has been examined by a doctor.

THE RECORDER: He says she has. So far, so good, but he cannot produce——
A. Here is the certificate.

THE RECORDER (*to Mr. Loseby*): I wonder you ask the question. The certificate is quite clearly not admissible in that way, if at all. Let us get on with something that is relevant.

MR. LOSEBY: Really, the suggestion is made——

THE RECORDER: If you are tendering that certificate, or whatever it is, as evidence, all I can say is it is not admissible, because it is not evidence.

MR. LOSEBY: No, my Lord, with very great respect, I want to make it plain to the jury; I will be very careful not to transgress. (*To the witness*) Is your answer that she has been examined? A. Yes.

Q. And although you do not produce it, have you got the record of the examination in your hand? A. Yes, in my hand, photographs and certificate.

Q. Does that record—if your Lordship thinks it right——

THE RECORDER: Well, it sounds an ominous beginning.

MR. LOSEBY: No, my Lord, I ask no further questions.

KATHLEEN EVELYN CROSBY McNEILL, *Sworn.*

Examined by MR. PEDLER.

Q. Is your name Kathleen Evelyn Crosby McNeill? A. Yes.

Q. Do you live in Glasgow? A. Yes.

Q. Are you the wife of John McNeill, forgemaster? A. Yes.

Q. Do you remember seeing Mrs. Duncan at a seance? A. Yes.

Q. How long ago was that? A. 1931.

Q. Have you seen her since? A. I didn't see her at that seance; I went in later on and she was not available. I mean she was in the cabinet. I had not seen her before I sat with her.

Q. How many seances of Mrs. Duncan's have you been to? A. Two.

Q. What would be the dates of these? A. The first one was in September, 1931; I cannot remember the date of the second.

THE RECORDER: How long after? A. It was before this war.

MR. PEDLER: Were you a stranger there? A. Yes.

Q. Did anybody know you at all? A. Nobody.

Q. Do you remember a voice coming from the curtains? A. Yes.

Q. What did the voice say? A. It gave the name of Albert, a gentleman's voice.

Q. What did the gentleman's voice say? A. He asked if there was a Mrs. McNeill in the sitting; and so, of course, I said I was Mrs. McNeill. He said there was someone coming for me, and he gave the name of Helen. He said it was a sister; he said that she was too weak to manifest but he came with a message from her. He said that her body was still in a room in the city and had not yet been disposed of, and therefore she was too weak to manifest, but he spoke for her. She had only died a few hours before.

Q. What did you see? A. The spirit of Albert came forward, and helped the form of my sister forward. I saw two forms standing together.

Q. Of Albert and your sister? A. Yes.

Q. How near were you to your sister? A. Not very near.

Q. Put it in feet? A. Probably further than this table.

Q. Would it be three feet? A. More than three feet, probably six feet.

Q. What sort of light was there? A. It was a dim light.

- Q. Could you see the features? A. No, Albert explained that she was too weak to manifest very clearly.
- Q. Did she say anything? A. No, she did not speak; the message came through the spirit of Albert.
- Q. Did you have another materialisation? A. Yes.
- Q. Where was that? A. I went to a second one years later.
- THE RECORDER: Where was that? A. That was at Glasgow.
- Q. Was the first one at Glasgow too? A. Yes, that was at Glasgow too.
- MR. PEDLER: Who came to you then? A. My father.
- Q. How near were you to the form that appeared?
- THE RECORDER: Was this Mrs. Duncan? A. Yes, Mrs. Duncan was the medium.
- Q. Are you sure it was your father? A. Yes, I am sure it was my father.
- MR. PEDLER: How near were you to the figure when it came out? A. I was further away then, because I was in the second row; there were two rows of sitters, and I was further back.
- Q. Did the form come straight out of the cabinet? A. Yes.
- Q. How many feet out of the cabinet? A. I think probably about six feet.
- Q. How did you know it was your father; was there anything particular about his face? A. Yes, I know it was my father because in life he had lost an eye, and he appeared to me as he was in life.
- Q. Did you see that? A. Yes.
- THE RECORDER: Did you speak to him? A. Yes.
- Q. What did he say to you? A. He said he was very pleased with what I had done.
- MR. PEDLER: What had you done which you think he referred to? A. I think he referred to the fact that I had gone to stay with my mother.
- Q. There was a further materialisation to you, was there not? A. Yes.
- Q. What was that? A. The form of a sister.
- THE RECORDER: Was that all he said? A. Yes, he spoke with difficulty; he might have said a few words of love, but nothing of an evidential character.
- MR. PEDLER: What was the last materialisation? A. There was another materialisation for somebody else, not for me at all; but I recognised the lady.
- Q. Who was it? A. It was a Mrs. Stevens; I recognised her. She walked right into the room. She came over by the door.
- Q. Did she speak? A. Not to me, but to her daughter.
- Q. Did you recognise the daughter? A. Yes, I recognised her hair very distinctly, because she had just had it waved, and I had seen her on her death bed. She appeared again as she had been in life.
- Q. Have any other relatives of yours appeared to you? A. Yes. A sister appeared, carrying a baby. She gave her name as my sister, which was Annie, and I believed it to be my sister.
- Q. Was this at the second meeting? A. Yes.

Cross-examined by MR. ELAM.

- Q. Did you pay to go to these meetings? A. Yes, a few shillings.
- Q. How long have you been interested in this sort of thing? A. This took place in 1931.
- Q. Had you, before 1931, been interested in Spiritualism? A. Yes, in other branches.
- Q. Was your husband interested in it? A. Yes.
- Q. Were you interested before your husband, or the other way round, or together? A. No, I was interested in it first.
- Q. Did you persuade him? A. No, nobody could.
- Q. But he did become interested, did he? A. He is quite interested.
- Q. How long had your sister been dead in 1931? A. She had only been dead

- a few hours; it was not known in the papers. Nobody knew she was dead.
- Q. Had she been ill for some time before? A. No, nobody expected her to die; she had an operation.
- Q. Was it a serious operation? A. It must have been.
- Q. Had your father been dead some time when you were in Glasgow? A. Yes, he must have been dead for perhaps a year.
- Q. What was his occupation in life? A. He was interested in many things; I really believe he was an upholsterer by trade.
- Q. Did you see the backs of any of these mediums? A. I saw the back of the lady who came out to see her daughter.
- Q. What did it look like? A. It just looked like her form.
- Q. White? A. Whitish, yes.
- Q. Did you see the back of any of the others? A. No; my father retired from me backwards, facing me.
- Q. Towards the cabinet? A. Yes.
- Q. Did you see the curtains move? A. No, I did not see the curtains; I was looking at my father.
- Q. Was Mrs. Stevens a Scottish lady? A. Yes. I knew her.
- Q. Where did she live? A. In Glasgow.
- Q. What do you say Albert's voice was like? A. I thought it was a very cultured voice; quite unlike a Scottish voice.
- Q. That is rather hard on your own land, is it not? A. I mean it was not a broad Scotch accent.
- THE RECORDER: Inverness? A. No; it was really a very cultured voice, a beautiful speaker.
- MR. ELAM: Can you help me any more? A. It might have been Australian.
- Q. That struck you, did it? A. I am not very sure.
- Q. It certainly wasn't Cockney, was it? A. No, it wasn't Cockney.

MR. B. ABDY COLLINS, *Sworn.*

Examined by MR. LOSEBY.

- Q. Is your name B. Abdy Collins? A. Yes.
- Q. Do you live at Bedford? A. Yes.
- Q. Are you a retired civil servant? A. A retired member of the Indian Civil Service.
- Q. When you were in India you did act quite considerably, did you not, in a judicial capacity? A. As a magistrate and as a District and Sessions Judge.
- Q. For some time have you been interested in psychic research? A. Yes, I am a member of the International Institute for Psychic Investigation, and I am on the Council of the Society for Psychic Research. For ten years now I have been taking an interest in psychic matters and investigating them as best I can.
- Q. Have you investigated this particular phenomena called materialisation phenomena? A. Yes, I have sat with three or four mediums.
- Q. With Mrs. Duncan? A. Yes, I have had five sittings altogether with Mrs. Duncan.
- Q. I am rather anxious on this point. From a psychic research point of view—
- THE RECORDER: I am interested in the dates, if you can give them? A. One was in June, 1939, and another in December, 1939; another some time in 1941—I have forgotten the exact date; another in August, 1942, and another only the other day.
- Q. Will you endeavour to exclude from your mind any of the results from the last one, because it was after this case had begun, and I need not point out to you the importance of that. A. I understand.

Q. As a magistrate you will appreciate that.

MR. LOSEBY: Has materialisation phenomena got a real value? A. Certainly. It seems to carry more weight with a certain class of mind than mere messages obtained from mediums.

Q. What is the weight? A. It is very decisive, I think, with those who have the experience.

Q. Decisive of what? A. Decisive as proof to them of the truth of survival.

Q. Have you yourself had any personal experiences? A. The first occasion I sat with Mrs. Duncan I went with my wife to York, and I sat there, and I was very impressed there with the quality of the voices with which the various speakers spoke in different dialects, with great animation, not loudly but in a most natural manner.

Q. Do you remember any particular voices that you observed? A. Someone spoke in a Lancashire dialect; another in the Yorkshire dialect, and some in what you might call the Southern, or with an Oxford, accent.

Q. You, as a trained observer, would possibly look for this. As far as you could see, did the voices corroborate the appearance? A. It appeared to be natural; the figures appeared to be speaking in a natural way as you would expect them to speak.

Q. Had you any personal identifications? A. A figure that appeared to be my mother appeared, who was an old lady of eighty-six when she died. The light was not very good, but the shape of her nose and chin, and the characteristic gesture she made with her head, made me think—though I would not swear in a court of law—that it was my mother.

Q. Have you seen your mother since? A. Do you mean have I seen her figure since?

Q. Yes. A. No.

Q. Had you any other personal identifications? A. My wife's sister appeared.

THE RECORDER: Was this the first occasion at York? A. Yes.

MR. LOSEBY: Did you personally know your wife's sister? A. No, I did not. But we were given details by Albert of the manner of her death, of which my wife and I were both ignorant; and subsequently, when we saw her father, we learned that they were correct.

Q. You subsequently corroborated them? A. Yes.

Q. What was the size, the appearance, of your wife's sister? A. It is so long ago now I would not like to say.

Q. Had you any other personal identifications on that or any other occasion? A. No, my wife's relations appeared on another occasion, but I did not know them.

Q. Was your wife present when they appeared? A. Yes.

Q. Were they identified by your wife? A. Yes.

Q. During the various sittings that you have had, were the materialisations, whatever you care to call them, apparently identified by someone present in the bulk of cases? A. Yes, in the great majority of cases.

Q. As a scientific investigator, would you be good enough to call the attention of my Lord and the jury to any phenomena that impressed you?

THE RECORDER: Are you speaking of June, 1939, or common to them all?

MR. LOSEBY: I was taking it as common to them all, my Lord.

THE WITNESS: I saw on one occasion a figure that proclaimed itself to be Albert, Mrs. Duncan's guide, standing along with Mrs. Duncan. The appearance of the figures is very extraordinary; they are mainly a kind of gleaming white, almost an unearthly colour, you might say. Although sometimes you see black beards and hair, on the whole the figures tend to be almost completely white, with a slight bluishness perhaps, almost phosphorescent.

THE RECORDER: Can you see through them? A. No, they are quite solid.

MR. LOSEBY: As far as you could judge, could you see any reasonable possibility of the forms being simulated by Mrs. Duncan in any way? A. Well,

I have seen a large number of forms that could not possibly be simulated by her, because they were far too slim or too small. Their features were very fine. They were small children.

- Q. What about the voices? Could you, by any stretch of imagination, imagine that the voices were being cleverly simulated by Mrs. Duncan or any other person? A. I do not know what the limits of human capacity are, but I myself find it impossible to believe that Mrs. Duncan simulated those voices.

Cross-examined by MR. ELAM.

- Q. With your judicial experience in India and elsewhere, would you agree that, if you had a prayer to start with, a dark room except for a rather dim red light, dark curtains and dark draperies, and a number of people in the room who perhaps recently or at some distance of time have lost their loved ones, that is rather tending to put them in a state of emotional tension? A. I think there is very often emotional tension on these occasions, although I do not agree that the light is always very poor; sometimes it is reasonably good.
- Q. I hope I have been fair about the light. With your experience, that tends to put people in rather a receptive state of mind, does it not? A. They are naturally expectant; many of them do not understand what is happening, and a number of them tend to be in an emotional state.
- Q. They are hoping to see someone dear to them? A. Yes, I think so.
- Q. And would tend to be disappointed if they did not? A. Yes, I think so.
- Q. When you say you are an investigator and a member of the Council, do you investigate cases good, bad and indifferent? A. Yes. I have exposed a materialisation medium who was impersonating the figures.
- Q. You have? A. Yes.
- Q. More than one? A. Only one.
- THE RECORDER: Where was that? A. That was at Reading.
- Q. Do you remember the year? A. I should think about 1937 or 1938.
- MR. ELAM: What was the gist of the trickery? A. She was undoubtedly impersonating a figure. Although she retired behind the curtain after being searched, she must have managed to get out of her seat and to have impersonated a figure.
- Q. And was not behind the curtain at all? A. She had been behind the curtain.
- Q. But she was not at that moment? A. No, she came right out in the circle.
- Q. When the curtains were drawn across? A. Yes.
- Q. And she should have been sitting in the chair? A. Yes.
- Q. Would you agree with me that a genuine materialisation medium is a very rare thing indeed? A. I certainly do not know of many.
- Q. Do you know of any? A. I do not know of any, I think, that I should class with Mrs. Duncan.
- Q. You have read about it and investigated all about it as a member of the Council, have you not? A. Yes, I have read most of the literature there is.
- Q. Would your Council, or you on behalf of your Council, recognise any? A. Recognise any other materialisation medium?
- Q. Yes. A. The only other one I have had personal experience with is, I am sorry to say, dead.
- Q. Was he or she recognised by the Council or by you? A. I do not think you can say the Council recognises anybody; they are scientific societies and they investigate as individuals.
- Q. Would you, as a member of the Council, recognise this one? A. Mrs. Duncan?
- Q. No, the other one you were talking of? A. Yes. I was certainly convinced; I was given marvellous evidence.
- Q. Who was that? A. A man called Jack Webber.

- Q. How would you say as a rule does Albert talk? A. He talks in a cultured, almost priggish accent, I should say.
- Q. Was there anything else you noticed? A. He talks in a most natural way.
- THE RECORDER: Has he ever said what he was in life? A. Not in my hearing.
- MR. ELAM: Is your wife a Spiritualist also? A. Yes.
- Q. Was she one before you, or you before her, or contemporaneously? A. I think very soon after I became interested in it she became interested.
- Q. Did you persuade her rather? A. I couldn't say.
- Q. Did you try? A. We used to talk about it, not unnaturally.
- Q. Did you ever see the backs of the figures? A. No, I never did; I saw them from the side.
- Q. What colour were the sides? A. They were all the same colour.
- Q. White? A. Yes, a whitish colour.
- Q. Did you ever notice the white going down to a sort of point? A. No.
- Q. Did you ever see their feet? A. It is difficult to remember clearly, but I don't think I did. I think it was more a sort of mass at the foot.
- Q. It sort of tailed off, did it? A. I would not like to say exactly what I saw.
- Q. You said genuine manifestations might be of great value to the world. I suppose you would agree with the converse, that false manifestations might do a great deal of harm? A. Certainly.
- Q. You said the spirit figures were generally claimed by someone. Did they sometimes come out and not be claimed by anybody? A. I think on one or two occasions they were not claimed.
- Q. Did you have more than one person claiming the same figure at the same time? A. Not that I recollect.
- Q. Never? A. I don't think so.
- Q. We've heard of that, but you don't recollect it? A. No, I don't really. It is some time ago, of course, now; it did not strike my mind at all.
- Q. How had your wife's sister died? A. She died by a sudden internal hemorrhage.
- Q. When Albert was standing alongside Mrs. Duncan, how far was he from her? A. Pretty close.
- Q. Could you show us with your hands? A. He first of all came out by himself, a tall figure, not very distinct, gleaming white, and then he said, "Come out, Mrs. Duncan, and stand beside me," and when she came and stood beside him his white figure turned to a sort of misty grey.
- Q. Were they standing close together? A. Yes.
- Q. Could you see all of Mrs. Duncan at that time? A. Yes, very distinctly. The light was quite good.
- Q. Was there any connecting link between them? A. I couldn't say. I saw her; she was there, and Albert's figure was beyond.

Re-examined by MR. LOSEBY.

- Q. Mr. Collins, would you regard it as a difficult matter to decide whether a person was a materialisation medium or not? A. It requires very careful examination and careful watching. You have to keep all your wits about you on those occasions.
- Q. Would you consider the importance of the question of reaction to white light? A. I have always found materialisation mediums very nervous about light.
- THE RECORDER: I don't think there is any question about light, Mr. Loseby.
- MR. LOSEBY: No, my Lord; it was simply on the question of fraud that I was puting it.

MARY ANNIE WHEATCROFT, *Sworn.*

Examined by MR. LOSEBY.

- Q. What is your full name? A. Mary Annie Wheatcroft.

- Q. Are you Mrs. Wheatcroft? A. Yes.
- Q. Do you live at 74 Hever Road, Battersea? A. Yes.
- Q. On the 18th January, 1944, did you attend a sitting of Mrs. Duncan's? A. Yes.
- Q. Was that the first occasion that you had ever been? A. Yes.
- Q. Did you pay 12s. 6d.? A. Yes.
- Q. Do you make any complaint about the fee? A. Oh, no; I think I had full value.
- Q. What happened to give you full value? A. My husband manifested.
- Q. Your husband appeared? A. Yes, he fulfilled a promise he made some years before he died.
- Q. Did Mrs. Duncan know, or could she have known, of that promise that he fulfilled to you? A. No.
- Q. Did he appear on this occasion? A. Yes, in the afternoon.
- Q. How close to you did he come? A. I should think about three feet; I am not very good at measuring distances, but I was sitting next to Mr. Homer just by the cabinet.
- Q. Are you quite certain that it was your husband? A. Oh, yes. Definitely.
- Q. Do you live in London? A. Yes.
- Q. Did you know Mrs. Duncan before? A. No.
- Q. Did Mrs. Duncan know that you were going? A. No.
- Q. As far as you know, had either Mrs. Duncan or Mr. Homer any means of knowing what your husband looked like? A. No. That I am sure of.
- Q. Why do you tell my Lord and the jury that your husband came into that room in Portsmouth? A. Albert said, "There is a gentleman here that wants a lady near the door". I was not sitting near the door, but I looked at somebody who sat near the door, and I said, "I think that is you". But, when my husband heard my voice, he opened the curtains and he came out and pointed to me and said, "I want you, Annie; I am Alf."
- Q. Is your name Annie? A. That is what my husband always calls me.
- Q. Did he then come towards you? A. No, he just stood outside the curtains. I spoiled it, I think, by being so excited and told somebody else it was her that was wanted, because as soon as I said to him, "Oh, Alf, how lovely of you to come like this", he seemed to fade and he went.
- Q. It was only a very short recognition, was it? A. Yes, but it was perfectly certain.
- Q. Are you judging it from appearances or anything else? A. Just the way he would speak to me; it was just his manner, and it was him. I recognised his voice, and nobody else would call me Annie, and nobody but me would call him Alf, because his name is Absalom, and his friends called him Tab, but I did not like it so I always called him Alf.
- Q. Have you any doubt it was your husband? A. None whatever.

Cross-examined by MR. ELAM.

- Q. Were you sitting near the door? A. I don't think I was; I was sitting next to Mr. Homer, very near the cabinet. There were other people nearer the door than I was.
- Q. What row were you in? A. The first row.
- Q. Was there a ticket on the chair with your name on it? A. I don't remember. Mrs. Homer said, "Will you sit there?" and I sat there. If there was a ticket there, I sat on it.
- Q. Had you gone from Battersea to Portsmouth specially for this meeting? A. Yes. Before my husband died I promised him that, if he would come back, I would take the first opportunity to have a sitting.
- Q. How did you know Mrs. Duncan would be there on that particular day? A. I have read quite a lot about her, and a friend of mine told me she

would be there; so I wrote to Mr. Homer and asked him if I could come and see her.

Q. Was the friend who told you about her someone who lived in Portsmouth?
A. I was a visiting medium.

THE RECORDER: Are you a Spiritualist? A. Yes, my Lord.

MR. ELAM: A medium told you that Mrs. Duncan was down at Portsmouth for a few days? A. This gentleman told me that Mrs. Duncan would be there on the 18th.

Q. Did you know Mr. Homer at all? A. Yes, I knew both Mr. and Mrs. Homer as the Presidents of the church. On one occasion I went down to officiate at the church.

Q. How long ago was that? A. I cannot give you the date; it was early last year; I should think about twelve or eighteen months ago.

Q. When did your husband die? A. In February, 1938, but I have never discussed my business with Mr. or Mrs. Homer; I was just a visiting medium. I served the church while I was there for two days, and then went home.

THE RECORDER: Does that mean 'conducted a service'? A. Yes.

MR. ELAM: Had you ever talked to Mrs. Brown? A. No, with the exception that, when I was undressing Mrs. Duncan, I simply said I was pleased that I had had a chance to come. We were asked not to talk to them or to discuss anything, because of Mrs. Duncan's health; and I did as I was asked.

THE RECORDER: Did you undress her before the seance? A. Yes, and I dressed her afterwards.

MR. ELAM: And that was when you spoke to Mrs. Brown, was it? A. Yes.

Q. Do you remember someone appearing for Mrs. Allen on the 18th? A. Yes, I believe that was the name. There was a lady. It was a member of the church, wasn't it?

Q. Yes. A. Yes, I remember it quite well.

Q. Do you remember anybody called Pinkie? A. No.

Q. I am asking you about the right date, I hope? A. Yes, I sat both in the afternoon and in the evening.

Q. And you don't remember those? A. No, I was so pleased and excited about my husband coming, and then one of the guides that was attached to our circle came, and really my idea was to help to give power so that someone else could have the benefit.

Re-examined by MR. LOSEBY.

Q. You saw a guide attached to your circle appear? A. Yes.

Q. How do you know the guide was attached to your circle. Do you mean he materialised? A. Yes, the Chinaman.

Q. Had you seen materialisations before that? A. I had not seen a materialisation, but I had seen him clairvoyantly.

THE RECORDER: Do you say he was a Chinaman? A. Yes.

Q. Did he give his name? A. No, I couldn't tell you about the name; I could not hear, but it was the man Mr. Kirkby described to you.

Q. Is Mr. Kirkby a member of your circle? A. We sit together.

FREDERICK ARTHUR BRANCH, Sworn.

Examined by MR. LOSEBY.

Q. What is your name? A. Frederick Arthur Branch.

Q. Did you attend a sitting at 301 Copnor Road on the 13th January? A. Yes.

Q. Did you pay for your seat? A. No.

Q. Do you know how many other people did not pay for their seats on that occasion? A. I could not say.

- Q. Were you interested in something that happened to you personally?
A. Yes.
- Q. Tell my Lord and the members of the jury what it was? A. I arrived at Copnor Road at 6.45 approximately. I sat in the sitting room downstairs. About fifteen minutes after, Mr. Homer asked us all to proceed upstairs as quickly as possible. This we all did. We arrived in the church upstairs where Mrs. Homer showed us to our seats; then Mrs. Homer a few minutes later brought in the clothes which were to be worn.
- Q. We have had all that, Mr. Branch. Tell me of anything in regard to yourself. Did someone appear for you personally? A. Yes, my grandmother.
- Q. Did she come close to you? A. I went over to her, but she came half-way.
- Q. About how close did you get to her? A. To within about a foot of her.
- Q. What did you see? A. The height of her was about to my shoulder; she was very slenderly built, and I saw hundreds of wrinkles upon her face.
- Q. Would she answer the description of a little old lady? A. Yes.
- Q. Did she speak? A. Yes.
- Q. Did you notice the accent she spoke in? A. Yes, sir, a Suffolk accent, very similar to mine, but a soft voice.
- Q. Yours is not a Suffolk accent, is it? A. No.
- Q. Yours is an Essex accent? A. Yes.
- Q. You spoke to her with an Essex accent, and she answered you with a Suffolk accent? A. Yes.
- Q. Could you imitate the Suffolk accent?
THE RECORDER: It is not much good, because the jury may not recognise it.
- MR. LOSEBY: Did you recognise the Suffolk accent? A. Yes.
- Q. And she spoke to you with a Suffolk accent? A. Yes.
- Q. Was it a stout figure, or a slender figure? A. A slender figure.
- Q. Could you indicate the height with your hand? A. Up to my shoulder, sir.
- Q. Apart from the fact that she had wrinkles—which does not amount to much—you could not confirm that it was your grandmother, could you? A. No, but that was confirmed to me by my mother a fortnight later when I went back.
- Q. You did not know your grandmother yourself, did you? A. No, sir.
- Q. But you did notice that she had wrinkles? A. Yes.
- THE RECORDER: You are satisfied it was your grandmother? A. Yes, my Lord.

Cross-examined by MR. ELAM.

- Q. What did your grannie say to you? A. My grandmother said, "Hullo, Fred; don't worry. I am watching over you".
- Q. No more? A. No more.
- Q. Did you say anything? A. Yes, I called her out of the cabinet.
- Q. Did you see the curtains move? A. Yes.
- Q. Was she all in white? A. Yes.
- Q. Did she go back into the cabinet? A. No, sir.
- Q. What happened? A. She disappeared through the floor.
- THE RECORDER: Was it something white? A. Yes.
- Q. How far was she out of the cabinet? A. About two feet.
- MR. ELAM: Did you hear Albert speak? A. Yes.
- Q. What sort of accent did he have? A. I should say it would be the Oxford accent; a very cultured voice.
- MR. LOSEBY: My Lord, I am extremely sorry, but I have not any more witnesses available. I thought I had four or five in reserve.
- THE RECORDER: There are some witnesses to come, are there, Mr. Loseby?
- MR. LOSEBY: Yes, my Lord.

THE RECORDER: Roughly speaking, how many?

MR. LOSEBY: It is a variable number, my Lord.

THE RECORDER: That does not help me a bit.

MR. LOSEBY: I cannot say more than that, my Lord. I was hoping to conclude with them on Friday. I have a large number, my Lord, but I am hoping to cut that number down, if I may put it like that; and I am thinking all the time how I can cut them down.

THE RECORDER: I hope you will be successful.

MR. LOSEBY: I will try my very best.

THE RECORDER: I want the last witness back.

FREDERICK ARTHUR BRANCH, *Recalled.*

THE RECORDER: I wanted to know how you came to attend this seance on the 13th? A. I was invited by Mrs. Homer, my Lord.

Q. How long have you known Mrs. Homer? A. Since October 22nd, 1943.

Q. When you have been over there, have you visited the Homers? A. Yes.

Q. Perhaps you are a friend of Miss Homer? A. I am rather, my Lord.

Q. Friendly with Miss Homer? A. Yes.

Q. Is that how you come to be linked up with the establishment? A. No, my Lord, I went there because I had been told by Taylor Ineson, a Yorkshire medium, of the activities at the Master Temple.

Q. Are you interested in Spiritualism? A. Yes, my Lord.

MR. LOSEBY: In reply to your Lordship's question, with the exception of two or three witnesses at the outside, all my witnesses will be short.

THE RECORDER: Have you got any more witnesses for to-day. I dare say the jury will not mind having an extra ten minutes to themselves.

A JUROR: Not at all, my Lord; very acceptable.

THE RECORDER: Then we will adjourn.

SIXTH DAY.—THURSDAY, 30TH MARCH, 1944.

MR. LOSEBY: Your Lordship asked me last night about the probable length of the witnesses for the Defence. I have had a word with my learned friend, and we are speaking at lunch-time. I am making every effort—and my learned friend, I am sure, will help me—to close my witnesses to-night.

THE RECORDER: Very well, thank you.

MR. LOSEBY: I am making every effort.

THE RECORDER: You might just tell me, with regard to that evidence of the witness Mr. Swaffer, of the test, only as to the date of that—Can you tell me from your proof of his?—the tying up test?

MR. ELAM: I can tell your Lordship. I think it was 1932.

THE RECORDER: He mentioned 1932.

MR. LOSEBY: My Lord, it was 1932.

THE RECORDER: I have put it as 1932. That is correct, is it?

MR. LOSEBY: Yes, when he used the term "magician".

THE RECORDER: Yes.

ALFRED DODD, *Sworn.*

Examined by MR. LOSEBY.

Q. Is your name Alfred Dodd? A. Yes.

Q. Do you live at Fairhallam, 108 Stanforth Road, West Durley, Liverpool? A. Yes.

Q. You have been interested, too, in matters of psychic research for some time, have you not? A. Forty years altogether I have been interested in it.

Q. And you have investigated all kinds and types of psychic phenomena? A. Yes.

- Q. As a matter of fact, you have written on the subject, have you not? A. Yes, well, I am an author.
- Q. I have to take it quite shortly. Have you investigated the phenomena of Mrs. Duncan? A. Yes, sir.
- Q. When did you last sit with her? I haven't got that date. A. It would be 1940. The first time was 1932.
- Q. Have you had certain experiences, or observed certain phenomena of interest to yourself personally? A. Yes, I have.
- Q. Would you be good enough to tell my Lord and the jury about them, what you observed? A. Do you wish me to give the first that I observed in 1932?
- Q. I think if you gave me the last one first, Mr. Dodd—— A. If I could give the one relating to my grandfather, I think that would be of interest. That was in 1932.
- Q. Possibly my Lord would allow you to start with that. A. It is a bit difficult to give the last one first. In 1932, I unexpectedly had a sitting with Mrs. Duncan in Manchester. At that seance a voice called out and said, "Good evening, friends". And people who obviously knew the voice said, "Good evening, Albert". The curtains were then drawn apart, and I saw Mrs. Duncan apparently in a state of trance and also the form known as Albert, who had spoken. During that seance and certain others, there was very remarkable phenomena. The voice of Albert said, "There is a big man coming out for you".

THE RECORDER: This is the same seance, is it? A. Yes. "There is a big man coming out for you". A form came out between the curtains.

Q. For whom? A. I was going to tell you—of my grandfather.

Q. Albert said, "There is a big man coming out". For whom? A. For me.

Q. How did he know you? A. Well, he called out first. I ought to have explained, he called out first. He said, "This is for the man with glasses in the second row". He said, "Please speak", and he said, "Yes, that is the voice. There is a big man coming out for you". The curtains went on one side, and out there came the living form of my grandfather. I knew it was him, because he was a very big man.

MR. LOSEBY: How big? A. A very tall man, about 6 ft. 1. at least, very corpulent. He looked round the room very quizzically until his eyes caught mine. He then strode across the room from the seance cabinet to where I was. He pushed the heads of the two strangers that were before me on one side like that, and he put out his hand and he grasped mine. He said as he grasped it, "I am very pleased to see you, Alfred, here in my native city". I was very surprised at seeing him, and I looked at him most closely, and I said to him, "Why, you look just the same". He had on his smoking-cap that he used to wear. He was dressed in a dark suit. He had on the donkey fringe I knew so well, having been brought up with him since five years of age. His face was brown and bronzed, just in the same way; the same look in his eye; the same expression and tones that I knew so well. As a matter of fact, he was born in Manchester, and I was born in Manchester.

THE RECORDER: Never mind. Did he say anything more to you? A. Oh, yes, he did.

Q. Tell us that? A. He next said, "I am sorry you are having such a rough time." I was, because I was losing a lot of money on property at that time, and he seemed to know all about it. He spoke just as if he was one of the family. He touched on something very private and personal, which I could not make mention of in this court very well, but he then continued and said, "Ban is here"—Ban, that is the pet name for the old nurse that I used to have as a child, which I had known as I grew up. "Ban is here". I said, "I am very glad. I hope you are getting on very well." He said,

"Keep your pecker up, old boy"—that was one of his characteristic expressions—"Never say die while there is a shot in the locker". He was holding my hand all the time. He held it with so firm a grip that my hand ached for hours afterwards. There was thrown over him, as it were, a net of I should think half-inch mesh; there seemed to be thrown over him a net, because, as I held his hand, I pulled the net in my hand quite distinctly. He stepped back like that and he put his hand on my friend's shoulder, who was sitting at the front. He put his hand on and clapped him on the shoulder and said, "Stand up, Tom", just in the same commanding way he used to speak. "Stand up, Tom", and my friend looked up at him and was afraid of a voice which was inside the cabinet. It was Albert's voice which said to him, "Stand up; stand up". So Tom Wallace stood up and, when he stood up, my grandfather being a much bigger man than him in every way, he said, "Look into my face, and look into my eyes". He said, "Will you know me again, Mr. Wallace?". Wallace said, "Yes". "Very good. You ask Albert to-morrow to show you my portrait, which is hanging on the wall in his dining-room, and you will see it is the same man as is speaking to you, now". He turned round and walked back to the cabinet, and he lifted up his leg and he slapped his thigh three times, three loud resounding smacks, and then he went right to the curtain and he lifted himself to his full height. He smote himself on the breast three times, so that everybody could hear. He said, "It is solid, Alfred; it is solid", and he went away inside. That was the first personal experience I had.

MR. LOSEBY: Tell me this. Was your grandfather, as far as you know, or anything about your grandfather known to Mrs. Duncan? A. Oh, certainly not. My grandfather died in 1906.

Q. And the private affairs of which you have spoken, as far as you know, were they known to Mrs. Duncan? A. Oh, no. They could not possibly have been known. He said before he went, I ought to add to my evidence, one more remarkable thing. He said, "You are on the right track, Alfred. Go on with your work," he said, "I mean the sonnets", and there was not a living person in Manchester who knew I was interested in Shakespeare's sonnets. I was editing an edition of Shakespeare's sonnets.

Q. We must not go into a controversy about Shakespeare's sonnets. A. It is a great controversy.

Q. At any rate, was it something you were interested in? A. Yes.

Q. I think one controversy at a time is enough. Have you had any other experience personal to yourself? A. Yes, I can give you another one.

Q. Did anything else happen at that particular seance? A. Yes.

Q. Personal to yourself? A. It was personal in a sense.

Q. Just tell us? A. That particular seance began in this way. After the voice had come and several forms had come out to other people, he called out and said, "There is a lady here, an old lady who wants a gentleman in the front row, and she is calling out the name of Jim." Now I saw a little old body come out, very small in a dark garment, white of face, grey hair, and I recognized her by her photograph. That is why it is personal to me. I recognised her by her photograph. She came out without the slightest hesitation, and came straight from the cabinet, through the curtains right to where Mr. James Waller was sitting in the front row, and as she seized his hand and as he took hers, I heard the two. I heard the two voices. He said, "Oh, mother, mother", and she said to him, "My boy, my boy". They had a private conversation. I took the place of the sister who ought to have been there, and that was referred to in the course of the conversation. She was very, very sorry a sister, a girl named Lily, was poorly. Then he said, "My brother Tom is here, you know". She said, "Yes, I am going to him", and she disengaged her hand quite

naturally, and went across an intervening space of two or three persons, and went to shake hands with Tom. As she finished shaking hands with him, she said, "Now, be good to your father", and she went back. As soon as ever she had gone back into the cabinet, Albert's voice called out once more, and he said that lady's name. We will call her grandmother Mary. He said, "She has brought with her a little girl, and her name is little Mary"—we will call her. He said, "Now little Mary has come to look for her daddy and her mummy; they are here". As she spoke, I saw a white formless mist which seemed to come through the curtain; it came through the curtain in such a way that it remained about three yards from the sitters, and this formless mist began to condense. It took shape, and there I saw, to my astonishment, a little girl with a rope in her hand, and she was skipping. I can see the twist of her hands even now, it was so real. It went on for six or seven skips, and then this little girl whom I recognized from the portrait, ran forward to Mr. Waller, and she said to him, "I have made myself solid, Daddy; I have made myself solid". He said, "I am so glad". She went to her mother, who was sitting next to him, and she appeared almost to clamber on her knee, and sat between her knees, in some way. Then the voice of Albert called out, "Come back; come back", but the little girl said, "I want to show them my curls. I want to show them my curls". He said, "You must come at once". She said, "No, I will not". There was quite a little altercation, and the two voices were crossing each other from outside and inside. Then he said, "All right. Show the curls", and she showed her head. I saw them; I saw those golden curls. I was sitting right behind. She bent her head forward, and that was that. Then she went back.

Q. Now, on that particular occasion I would just like to ask you this. Did the voices as far as you could judge, corroborate the appearance? A. Oh, certainly, certainly. There was absolutely no question of there being two personalities there.

Q. Would you give us another occasion, Mr. Dodd? A. Yes, in 1936. This was such a remarkable seance to me. I had to wait for some time until I had a chance. I did not book Mrs. Duncan; I got an agent to book her, for a private sitting with Mrs. Duncan. I was particularly interested in obtaining certain definite answers to certain questions relating to a historical character. Well, the seance took place. There were ten chosen sitters by Mrs. Arguis, at Bootle. We were all trained observers; we were all professional or business men, who said the seance was a disappointing one, for at the last minute Mrs. Duncan said, in a word, that she would not sit unless her two friends, Mr. and Mrs. Aldous, with whom she had come, were to sit at the seance also. That seemed to upset the conditions, and the manifestations which took place were not satisfactory, and we were all disappointed; but at the last, just when we thought that all was over, the curtains opened once more, and I saw before me the living form—the living form!—of a young lady aged twenty-one. Her name was Helen to me, and she was the first sweetheart that I had ever had, and therefore I knew her. I knew her absolutely. She stood there and she put up her hand to me, and waved in exactly the same way that she waved when I took her to her last social. She stood on the stairs, half-way up, and waved me away. She stood there dressed in a white flowing robe, and over that white flowing robe was a fine curtain of net. I was so astonished that I stood up in my seat, which I ought not to have done, and I called out to my wife at the other end of the room, and I said to her, "Why, it's Helen; it's Helen". The girl did not come to me direct, she came right round the room from left to right, and she stood before me, a living, palpitating woman. The same hair that I knew so well, dark and ruddy; the same eyes, hazel; they shone with animation; her face, the same ivory

pallor on her cheeks. I said as I looked at her, "Well, I am glad to see you. I am glad. I was only talking about you last night". Then I heard her speak, and she spoke in the same soft Scotch accent that I knew so well.

- Q. What dialect? A. She came from (*unintelligible*) but it was a cultured Scotch, not a harsh Glasgow Scotch, nothing like it—not harsh at all; a soft cultured voice, mixed, of course, with her training in England educationally, and she was so real as she stood there that night. Instinctively I put out my arms to her, thinking that she would be a natural solid human being, but she started back and said, "Don't touch me". She dissolved into nothing. She never went back into the cabinet. Now that is the truth. She passed away in 1897, forty-seven years ago.
- Q. Is there any other experience, personal to yourself, Mr. Dodd, that you remember, that you wish to tell my Lord and the jury? A. I had an experience in 1940 with Mrs. Duncan. That was at a private seance.

THE RECORDER: Where was it? A. That was in Liverpool, 94 Sandforth Road, Liverpool, at Mr. R. H. Irwin's house. That seance was fairly satisfactory, but the lighting arrangements which are red in all these cases, were poor. Some said they could see the forms and some said they could not. The seance ran right through and, although some very remarkable things happened, I was not personally interested in those; they were not personal to me. But at the end nothing had come for me, and I was very much surprised, because at a previous seance I had been told by Helen that she would give me a notable test of her identity. Now Albert's voice was heard just at the finish, and he called out for a gentleman with glasses on the right, "Please speak". I said, "For me?" He said, "Yes". He said, "There is a lady here who wishes to materialise in an old-world dress". I said, "Oh, she is trying to materialise without a head". He said, "Wait a minute, we have not managed it. Wait a minute". We waited two or three minutes—it seemed to me an interminable time—but in the end he said, "I am very sorry; we cannot possibly manage it, but she told me to tell you that, in her previous life, her name was Mary. She speaks with a Scotch accent tinged with French." She was a lady, and he said, "This lady lost her head". Now the singular thing is this, that Helen had given me her identity, who she was three hundred years ago, and those exactly described the characteristics of a lady who went to the block in that era, who spoke Scotch with a French accent.

- Q. May I ask you this as a psychic investigator? Can you tell us what is, or what would you say is, the point and value of a materialisation seance if they have any particular point or value? A. Well, I should say that physical phenomena specially of the materialisation kind is really a guarantee of the proof of Spiritualism, just as physical science is the foundation of our educational knowledge.
- Q. I did not want that quite. Does it go further than evidence of survival? A. Oh, yes, it proves survival.
- Q. Is that the main point? A. That is the main point, and then, moreover, you feel you are in touch with them.
- Q. Having observed at many of these seances, is the evidence usually adroitly given or otherwise—the evidence of survival? That is what I want to know. A. You cannot obtain satisfactory evidence of survival by, say, a casual seance; it requires long investigation, and sometimes the evidence comes casually, and sometimes it comes quite directly. It varies. You have got to group these various types and forms together, and form one's conclusion. It makes one into a thinker.
- Q. Is the main point of the evidence one of survival? A. Yes, that is the main point.

Cross-examined by MR. ELAM.

- Q. You are an investigator into Spiritualism, are you? A. Yes.
- Q. How long have you been that? A. I was an investigator for five years, and after five years I found that the facts convinced me and I was bound to accept the spirit theory as the only theory, as covered by the facts I had experimentally seen.
- Q. When did you start investigating? What year? A. It is forty years ago altogether. Take forty years from now.
- Q. 1904. When did you become a Spiritualist? A. After five years' experimentation.
- Q. About 1909? A. Yes, about then. I read everything I could obtain about it, both pro and con.
- Q. Up to date? A. Up to date, although I will not say I am quite up to date in the modern books, because after some time I thought I had done my duty towards Spiritualism, and I ceased investigating so intellectually. That led me on to another track.
- Q. You have read most of them pro and con? A. Yes.
- Q. Have you followed Mrs. Duncan's career since 1931? A. I cannot say I have followed it exactly. I have not been a subscriber to the Spiritualist papers, but I know what has gone on.
- Q. You do? A. Yes.

MR. ELAM: At this point I think I would like to argue something in the absence of the jury, before I put any further questions.

THE RECORDER: Yes, very well. Members of the jury, will you go to your room for a moment or two.

(The jury retired.)

MR. ELAM: Now the jury has gone out, I think the time has come to argue this. No doubt my learned friend will base the defence, as he has throughout, that Mrs. Duncan is a genuine medium. This witness, as an example, has gone as far back as 1931. He is an investigator. He has studied Spiritualism, for and against, and he has followed Mrs. Duncan's career from that date, as he has just told you. Now the tenor of his evidence must be, in my respectful submission, that she is genuine, and has been genuine from 1931 till to-day, 1944. That being so, I should like to put questions to him as to whether he knows what happened at a seance, or as the result of a seance, at Edinburgh on the 4th January, 1933, and the result of that seance. Possibly I need say no more at this moment, unless your Lordship asks me to say more. My Lord, I will not weary you by going on, because I think I can make my point shortly or not at all. As I say, is not the Defence here in effect: "I am a genuine medium, and have been for many years, all the time"? Therefore are not the jury entitled to know that as far back as 1933—this witness and, indeed, other witnesses having spoken as far back as 1931 and 1932—that it was thought otherwise at Edinburgh on the 4th January, 1933, or thereafter.

THE RECORDER: What? In the nature of a conviction, do you mean?

MR. ELAM: Yes, my Lord.

THE RECORDER: What was the conviction for?

MR. ELAM: For fraudulent mediumcy. The charge, it being in Scotland—I do not say this in the least offensively—was somewhat curiously worded, but the gist of it was, if I may read it—

THE RECORDER: You need not bother to read it, you probably have read it. What was the substance of it?

MR. ELAM: The substance of it was that a woman's stockingette undervest was held and manipulated by Mrs. Duncan, and that the sound of the voice was the sound of Mrs. Duncan's own voice. The result of that trial was that she was fined £10 or a month's imprisonment.

MR. LOSEBY: Of course, I know of this matter. It was a trial, I think, before the Sheriff's Court, and it was of the same kind or type. My Lord, the essence of the charge against me is that I am an impostor, that I am not a materialisation medium at all. Knowing, of course, of the prejudicial effect of this on the jury, and the difficulty to displace it when it is in the jury's mind, if it is once said, I have been particularly careful from the beginning; and the only footing on which I have given evidence was in direct answer to the charge, namely, that I am a materialisation medium. No question has been asked by me from beginning to end, my Lord, other than questions that I have to ask in direct answer to the charge, the charge being you are an impostor, you are not a materialisation medium at all. My evidence is that from this, that, that and that, the jury should deduce that I am a materialisation medium. I cannot see that anything I have said, any evidence—

THE RECORDER: That means a genuine medium?

MR. LOSEBY: My Lord, I am a materialisation medium. You either are or you are not. I have refrained—

THE RECORDER: Mr. Loseby, you might have a false medium. I have heard about such a thing in this case.

MR. LOSEBY: Yes, my Lord.

THE RECORDER: So the word "genuine" must be imported, mustn't it?

MR. LOSEBY: Whether I am a genuine medium—yes, that may be deduced. Those are not the questions asked by me. I will tell your Lordship another objection, and it is patently obvious. I am now nearly at the end of my case. I should otherwise have asked several witnesses in turn: "Is Mrs. Duncan a genuine materialisation medium?" I should have gone into her whole character of mediumship with every witness in turn. I have not done it, and I have refrained from doing so merely because of a matter that I should describe as prejudice.

THE RECORDER: Isn't that what you have been doing in effect, asking these people whether they have happened to have seen manifestations, with a view to showing that they were genuine manifestations?

MR. LOSEBY: My Lord, I have asked no questions other than questions I am bound to ask, unless I am simply going to acquiesce in being convicted.

THE RECORDER: You might have confined your questions to what had happened on these particular dates within the limits of this indictment—a week; a few days. You might have confined your case to that; but you have been instructed, and induced by those instructing you, to go into other dates and other matters.

MR. LOSEBY: Yes, my Lord.

THE RECORDER: That can only be with a view to showing that this woman is a genuine medium.

MR. LOSEBY: A materialisation medium, and always has been. I cannot prove my case, in my submission, with complete certainty unless I prove before and after—therefore, the presumption is, at the material date—lest it should be thought that my witnesses from Portsmouth are prejudiced, or possibly under the influence of her, whatever the case may be. And therefore I go right back; I go all over the country; but I carefully refrained from asking a question, which, had I asked it, would have been of great value to me; but I deliberately omitted asking it, my Lord. It may be that it can be argued that by saying she is a materialisation medium, it is to be implied she is a genuine one; but there is all the difference in the world between that and my asking the direct question, which would have given me a valuable answer. I should have fought this point from the beginning, had I not felt after consideration that I did not think it worth while bringing it in. My Lord, I do object.

THE RECORDER: Just get me 27 *Criminal Appeal Cases**. I have an idea I have got to look at *The King against Winfield*.

MR. LOSEBY: My Lord, I go further, and I ask my learned friend not to put it in. I discussed the matter with my learned friend's leader, who told me he was not putting it in.

THE RECORDER: I think you are not entitled to tell me what passed between you and your colleague, are you? You cannot foresee what may happen in the course of the trial.

MR. LOSEBY: My course of conduct was affected by it.

THE RECORDER: The note in *Archbold*† is at page 447: "A prisoner cannot claim to be entitled to put in issue part of his character only. Thus, if he calls a witness to establish his good character with regard to sexual morality, the witness may be cross-examined by the prosecution on the prisoner's previous convictions for offences involving dishonesty." I don't know how far that helps us; but, altogether, apart from that case, it seems to me that this course which has been adopted may have purposes for the accused, but it also involves dissatisfaction, and it seems to me that a jury might have a grievance if this trial resulted in an acquittal, if they knew of this or learned of it. They might well say, "Why weren't we told the whole of the history? We heard a great deal of it away back for ten or twelve years. We have not heard of this." On the face of it it seems to me to be admissible, but let us see for a moment. (*To the witness*) Do you know anything about this lady being convicted? A. Yes, I have heard of it; I read of it at the time. I did read of it.

THE RECORDER: Yes.

MR. ELAM: I am not trying to argue law against my learned friend out of my turn, but on the facts; and I took down his actual words when he opened the defence to the jury, and speaking about Mrs. Duncan, using the first person as we often do, he said, "I have held myself out as a materialisation medium. I have done it for over ten years"—which he afterwards corrected quite frankly; it should have been twenty—"I know nothing about this fraud. I am a materialisation medium", which must mean genuine, "and I ask to be allowed to prove it. I can prove it scientifically."

MR. LOSEBY: It is quite plain I have done nothing else from beginning to end. Of course, your Lordship will bear in mind the special character of this case. It may have the result—it cannot serve any real purpose here in this particular case—of taking me for my defence possibly, if I did it adequately and properly, three weeks. That was a short trial in Scotland before people, patently for this type of case, incompetent; and the prejudice on the minds of the jury may be such, whether it is totally valueless or not, that I may be quite unable to displace it. My Lord, had this application, as I say, been made at the beginning of the case, I should have conducted my case quite differently, because, my Lord, I had it in my mind all the time.

THE RECORDER: Mr. Elam, ask Mr. Maude if you like, so far as you know, was there any undertaking by the prosecution.

MR. ELAM: My recollection would be "No." If there is the least doubt about it, I should certainly like to ask my learned Leader.

MR. LOSEBY: There was no undertaking given to me. I quite casually asked Mr. Maude; he did in fact reply to me, but there was no undertaking of any kind given me. I would not have dreamed of asking that.

THE RECORDER: I should like to hear Mr. Maude about it.

MR. ELAM: We hoped we would not have to use it. I submit the time has come, if it is not overdue, when a completely false picture has been given to the jury. If there is any doubt about it, I would like to fetch Mr. Maude.

*I.e. volume 27 of the reported judgments of the Court of Criminal Appeal.

†*Archbold's Criminal Pleading, Evidence and Practice*, the leading authority on criminal law.

I would not like to take my learned friend by surprise, or go back on anything that has been said.

MR. LOSEBY: I am not saying that.

MR. ELAM: I can get him here.

THE RECORDER: He is defending in a murder case, and it is not very convenient to disturb counsel when so engaged, but at the adjournment he could be seen, and I think the best thing is to postpone the decision in this matter until after the adjournment. (*To the witness*) Will you wait, Mr. Dodd?

THE WITNESS: Yes, my Lord.

THE RECORDER: In any case if I decide, as I am bound to, subject to what I may hear from Mr. Maude, that the jury should know all about it, even if this gentleman knows nothing about it, it would entitle the prosecution to call rebutting evidence about it.

MR. ELAM: Yes, my Lord.

THE RECORDER: So it really does not matter, but you will be here, Mr. Dodd, just after the luncheon adjournment? A. Yes.

THE RECORDER: Then we had better postpone any further cross-examination.

MR. ELAM: It might be better for both the witness and myself.

MR. LOSEBY: If I am to be faced with this, I should like it to be done as early as possible. Here am I on the fifth day. I should have been fighting it the whole of the last five days, and this witness has not said a word other than that which has been said by all the other witnesses.

THE RECORDER: I will try to ascertain now. We will adjourn till half-past 11. (*Adjourned for a short time.*)

MR. MAUDE: I have had your Lordship's summons. Is there anything about which I can help your Lordship?

THE RECORDER: It was only with regard to this question of a previous conviction. The matter has arisen after a great deal of evidence has been given with regard to seances with Mrs. Duncan attended by a number of witnesses, who have given evidence as to what they saw. It is now sought by Mr. Elam to put a question to this witness as to this previous conviction about which he says he knows, to establish it. On the face of it, having heard what Mr. Loseby has said, I can see no answer to the application to admit that evidence. It seems to me to be clearly admissible, having regard to the course taken by Mr. Loseby and those advising him. The only matter that I want information upon is: Mr. Loseby said that the course he has taken has been influenced by something which he said to you with regard to this previous conviction, whereby, as I understood him, he was rather led to take this course, thinking he was quite safe in taking it. He agrees there was no undertaking or anything of the sort; and I only just wanted to know how the matter stood, if you had any recollection of it at all.

MR. MAUDE: First of all, I cannot help feeling, now my learned friend has had a little time to think about it—I have heard that he has persisted in saying what he told your Lordship—there was no question, of course, when this case opened and started in this court, of using that as part of the case for the Prosecution—any evidence of a previous conviction. No doubt something possibly of that nature may have passed between us, but as to what the course of the Prosecution would be subsequently in the light of any defence which might develop, of course no indication or any promise of any shape or kind would have been given to my learned friend.

THE RECORDER: It would be quite improper, because whatever the undertaking—whatever is said between counsel—cannot possibly stand in the way of the administration of justice, according to the rules as we know them, and as I have to interpret them. That is the position, but I thought having regard to, and out of courtesy to, what Mr. Loseby said, it was necessary to ask you. I think that is really all.

MR. MAUDE: Yes, I feel sure my learned friend would wish to put the matter right.

MR. LOSEBY: I not only put it right, I have gone out of my way to make it quite plain that there was no undertaking. You have not been told that. Added to that, as I hoped in the interests of justice, I also made an appeal; but I have made it quite plain, I hope, to your Lordship that no undertaking was made. My learned friend did say as a fact he intended to do so, but I also made an appeal to my learned friend, as I hoped, in the interests of justice.

MR. MAUDE: Perhaps the least said, the better. All I think I need say is this, that what my learned friend refers to a little vaguely as an appeal has nothing whatsoever to do with the question.

MR. LOSEBY: Now—at this time, not to take this course at this time.

MR. MAUDE: I have nothing to say on that point. I propose to let the law, subject to your Lordship, take its course.

THE RECORDER: If the Prosecution wish to ask this question, I can only say that I think it is a question which is admissible, having regard to the course the trial has now taken. Indeed, I think it would be quite unfair in the interests of justice that the whole of the facts should not be known.

MR. MAUDE: My Lord, that course will be pursued.

THE RECORDER: Bring the jury back.

(The jury returned into Court).

THE RECORDER: Mr. Elam, you wanted to put a question. Put it, for what it is worth.

MR. ELAM: Mr. Dodd, I think your last answer to me was that you had followed Mrs. Duncan's career since 1931. Is that right? A. Yes, I have followed it in a general sense, not specially.

Q. No, no. Did you know that, as the result of a seance which she held at Edinburgh on the 4th January, 1933, she was convicted by the Sheriff's Court at Edinburgh for pretending to be a medium? A. Yes, I have read of it. I have heard of it, and I never accepted it as being a genuine verdict, and I will give my reasons for it afterwards.

THE RECORDER: Very well. Do you know whether she appealed or not? A. I do not know; I could not say that.

MR. ELAM: Did you know she was fined £10, with the alternative of a month's imprisonment? A. Yes, I have read that.

THE RECORDER: What date was this?

MR. ELAM: The seance took place on the 4th January, 1933.

THE RECORDER: The date of the conviction?

MR. ELAM: 11th May, 1933.

THE RECORDER: At Edinburgh?

MR. ELAM: Edinburgh Sheriff's Court.

THE RECORDER: On a charge of fraud when she was acting as a medium?

MR. ELAM: My instructions are for obtaining money by pretending to be a medium. *(To the witness)* Is that right? A. That is quite right.

Q. That you say you read about? A. But did not accept it.

Q. Did you read that the child's spirit—this was the allegation on which she was convicted—was a woman's stockinet undervest manipulated by Mrs. Duncan, and that the voices were the voice of Mrs. Duncan? A. I have read it. I have not accepted it as being proven.

Q. You do not accept the finding of the Court? A. No, I will tell you the reason why I did not accept it afterwards.

THE RECORDER: You can do that when you are re-examined.

Q. It has made no difference to you? A. It has made no difference absolutely whatsoever.

THE RECORDER: There it is, for what it is worth.

MR. ELAM: In view of those answers, I think I shall leave this witness.

Re-examined by MR. LOSEBY.

- Q. Does it affect your mind as a psychic investigator at all? A. Not at all. Not a bit.
- Q. Have you any knowledge at all of the constitution of that particular court? A. No, I have not.
- Q. You would not know whether they had any experience in this particular matter? A. I always suspected that they had no experience of this particular matter. They mix up a fraudulent theory, which is a preposterous one—they mix up this fraudulent theory with the real psychic phenomena. Moreover, I have spoken to Albert several times.
- Q. You must not say that. Is this a difficult matter to decide unless one is an experienced psychic—experienced in psychic phenomena? A. A most difficult matter to decide. I will most candidly admit there are many types of phenomena which can be attributed to a fraud *prima facie*, but, when you investigate it further, you will discover the fraud theory will not fit the additional facts. A casual experience is not sufficient at all to base an accurate conclusion upon. It can only be dealt with over a process of years and a great many investigations, and by exclusion arriving at the correct theory.
- Q. Just tell me this, quite regardless of what you know that court said, and of course quite honestly: you have investigated Mrs. Duncan over a period of time. Is she or is she not a genuine materialisation medium? A. She is a genuine materialisation medium, and anything I can do to help that lady in her distress, I come here to do it, because I owe her a debt.
- Q. And over the whole period of time that you have known her, has she been a genuine materialisation medium? A. Absolutely straight.

DR. JOHN WINNING, *Sworn.**Examined by MR. LOSEBY.*

- Q. Is your name John Winning? A. Yes.
- Q. Dr. John Winning? A. Yes.
- Q. Of 217, Offrera Road, Glasgow. A. That is right.
- Q. You are not a general practitioner? A. No, I am Assistant Medical Officer of Health for Glasgow, one of the Assistants.
- Q. You have been also interested in psychic investigation for some time? A. Yes, for about forty years.
- Q. Have your methods throughout been, as far as you could ensure them, scientific? A. Always scientific.
- Q. You have done your best. You have observed phenomena? A. Intelligently.
- Q. Facts have been brought and you have drawn conclusions from them? A. Yes.
- Q. You have investigated all kinds of types, haven't you? A. More or less.
- Q. My learned friend might like to ask you questions about that. How many times have you sat with Mrs. Duncan? A. I would say at least forty times.
- Q. During that time how many materialisations roughly would you have seen? Just quite a quick guess. A. Roughly, each time from twelve to eighteen. If you multiply that by forty, you will get the answer.
- Q. Multiply it by ten—about four hundred. A. Yes.
- Q. You have heard many different voices during that period of time? A. Very distinct voices; markedly. Sometimes changed or different. Sometimes the intonation was Irish, American, Scotch and English.
- Q. We have not previously heard about the American and Irish. You have heard American and Irish, have you? A. Yes, on one occasion there was a lady over here from America.

- Q. We need not go over that, Dr. Winning. Just offhand, do you remember any other languages? A. On one occasion one of the materialisation spirits spoke in German, and also in Hebrew on another occasion.
- Q. Did you check up the German and Hebrew? A. No, but the party who was there was able to converse, and understood the message.
- Q. You heard a conversation going on between a person here on the one side, and the spirit alleged on the other side speaking? A. In German. I know a little German but not sufficient to follow it.
- Q. Have you any particular interest in other dialects? A. On one occasion there was some Gaelic spoken, Scots Gaelic.
- Q. Just as far as you could check up, as an investigator, was it possible for Mrs. Duncan to have simulated the voices that you heard? A. Quite impossible.
- Q. And the languages that you have heard, as far as you know, can she speak those languages? A. I have never known her to speak anything but her own native language. I do not think she knows any other language but her own.
- Q. And her own, is it Lowland Scotch?
- THE RECORDER: Can you give me any idea of the dates? A. The last one was the 15th December last year, 1943.
- Q. Where was that? A. In my own place in Glasgow. My own rooms in Glasgow.
- Q. Your private rooms? A. I have a suite of private rooms which I used for investigation.
- MR. LOSEBY: During that period of time have you had experiences personal to yourself? A. Yes.
- Q. Which you could check up on? A. Oh, yes, on numerous occasions. My own mother has appeared and materialised and shown herself very clearly with certain idiosyncracies in her features, and she was able on one occasion to stand quite close beside my sister, who had a similar little slant of the nose, and I was able to see the difference. I was able to note the slant of my mother's nose—we all knew about it—and also compared it with my sister's; it was on the opposite side.
- Q. About how many times has your mother materialised? A. I should say at least a dozen times out of those forty.
- Q. Have you had any doubt of any kind? A. None whatever, because the conversation was always about home matters and personal matters.
- Q. Matters known to Mrs. Duncan? A. Not known to Mrs. Duncan, only to myself.
- Q. Just tell me this, quite apart from the suggestion which is becoming ludicrous, of Mrs. Duncan doing all this: would it have been possible by any stretch of the imagination, granting the greatest possible skill and wickedness, for Mrs. Duncan to have impersonated your mother? A. Quite impossible. She is not like my mother in any way. My mother was slim, and Mrs. Duncan certainly is not.
- Q. You have been good enough to tell us about your mother. Any other relation? A. Yes, my brother, who passed over into the spirit side of life many years ago, comes easily as a young man. His movements are quick and active; his speech is quick; he talks about home things and shows himself very clearly. His movements in the room are entirely different, they are different entirely, from Mrs. Duncan. His movements are quick and active; Mrs. Duncan could not move about in that way. And his speech is different.
- Q. How far have either of these two figures come from the cabinet? A. They have come right out of the cabinet. My mother has taken me by the hand, and my brother has come out of the cabinet on various occasions and spoken to me.

- Q. How many times did you say your brother had materialised? A. He comes almost at every seance I have. He either comes out of the cabinet, or simply I hear his voice saying, "I am here".
- Q. How many times have you seen your brother materialise? A. Out of forty times he has probably come twenty times; at least he has come oftener than my mother.
- Q. What dialect does your brother speak in? A. He does not speak any. He was born at Lanark like myself. He probably speaks like myself. I hope I am not too difficult to understand.
- Q. Any other association or any other person well known to you? A. Yes, my grandmother has come out repeatedly. She was an old lady; she was eighty-four when she passed over. Several of my uncles have come to me.
- Q. Just take one at a time. Is there any similarity in the voice of your grandmother and your brother, or are they quite distinctive? A. Quite distinctive.
- Q. Go on. Any other close relationship? Anybody you can identify? A. My aunt Elaine, my uncle William. I could go on naming them.
- Q. Go on. I cannot afford to miss any out. A. My uncle Tom was the last one that came at the end of November and spoke to me for some time.
- Q. An uncle. Was there anything striking in his build? A. Yes, my uncle Willie, who came some time ago, had a little beard and moustache, which he was able to show quite clearly to me, and his build is different from Mrs. Duncan; his features are different.
- Q. I think I can omit the possibility of Mrs. Duncan for the moment. Was your uncle's voice a typical voice? A. I should say that it was different. I would not say it was the same as what we heard in life, because there are difficulties there; but it was not like Mrs. Duncan's, and he also was able to talk about personal home things that Mrs. Duncan knows nothing about.
- Q. Could you check up on the things? A. Yes.
- Q. Did you check up on the things? A. I did.
- Q. How many relations—you seem to have seen so many we cannot go into them all—have you seen? A. Probably close on a dozen. More.
- Q. Have you any doubt at all about the identity of any of them? A. None whatever, by the conversation and the appearance.
- Q. I think I might ask you this. It is rather a leading question. Could the greatest living actor, given the greatest possible facilities with all possible apparatus have simulated, in your view, what you have seen? A. I do not think it would be possible.
- Q. Given the greatest possible skill? A. They could not simulate the information that was imparted to me by these people.
- Q. You have dealt with your relations. Now your friends. Any particular friend? Does anybody come to your mind? A. Yes, on the 30th November there was a schoolmaster whom I knew, who came and announced himself—not to me, but I knew him. He came out of the cabinet, and said he had come to speak to his two boys, at that particular seance.
- Q. Did you recognize him? A. I recognized him.
- Q. You must not leave that out. A. And the two boys, one aged ten and the other aged fourteen. They recognized the schoolmaster.
- Q. He was recognized by yourself and the two boys present at that time? A. And two boys.
- Q. Anything else of a striking nature that you would like to tell my Lord and the jury? I think that is enough, Dr. Winning. Would you tell me this? May I have those Exhibits, 1 to 4, the photographs. Have you any experience in regard to psychic photography? A. Yes, I have been doing quite a lot of psychic photography.
- Q. Is it a rather difficult subject? A. It is difficult; it is very difficult.

Q. I do not want to go into it, if I can help it. Would you just look at those photographs and tell me if either you or anybody else could say with certainty whether those are genuine psychic photographs or otherwise?

THE RECORDER: I will put them in order for you, so that I can follow and the jury follow, if they want to. There are four. No. 1 is on the top.

MR. LOSEBY: Can you say by looking at them? A. I think I should say this, that I do not think it is possible for anyone to determine whether a psychic photograph is genuine or not, unless they know the circumstances under which the photograph has been taken. I think that is the only way it can be done.

THE RECORDER: That is a very fair answer.

MR. LOSEBY: You do not think it is possible? A. I would not be able to, unless I knew the circumstances.

Q. Looking at them alone, would you be either able to condemn or approve? A. I could do neither one nor the other.

Cross-examined by MR. ELAM.

Q. I agree, if I may. You have given a very fair answer about that. It follows, as we have already heard, that spirit photographs or indeed any photograph is a thing which if you know how to do it, as you would—I am not suggesting you have—it is very easily faked? A. It is easily faked.

Q. Please do not think I am being offensive. If you wanted to take a bogus of a faked photograph, you could do it very easily, because you have knowledge of photography? A. Yes, but, if I am enquiring into a subject and considering it from a scientific point of view, I am not likely to deceive myself, and when I took photographs I had usually two cameras at different positions.

Q. I follow. As a check? A. As a check. Everything was done to avoid the possibility of any trickery.

Q. How long have you been keen on this sort of thing? A. For forty years. I should say I was just in my teens when I started to enquire into it.

Q. Are you married? A. No, I am not married.

Q. Are a lot of your friends interested in it as well? A. My relatives, my own home people are interested in it. I spend a lot of time in the Sunday School movement of the Movement.

Q. Have you been at Glasgow some years? A. I have been there since 1915 or 1916.

Q. Were you in Scotland before? A. Yes, I was born in Lanarkshire, and lived in Lanarkshire.

Q. Did you practise somewhere else? A. No, I have not been a doctor all the time.

Q. What were you before? A. I was for some time secretary and manager of a building concern before I qualified in medicine.

Q. In Scotland? A. In Scotland. I was one of the Councillors of the Glasgow Corporation for a time.

Q. Could I ask you something quite different? What do you say about Albert's voice? What sort of a voice was it? I should like your opinion as a medical man. A. I would just say it was a refined, cultured voice.

Q. Were you going to say English? A. I know he is an Australian. We have been told; he has said he was an Australian. I do not know whether I would differentiate and say English. We all talk English, but I would say he has a refined, cultured voice.

Q. When you saw these forms that you have told us about—I am not going into detail—did you see the backs of them at any time? A. I was able on one occasion—No, I would say No, I did not see the backs, because I had no occasion to look round the back.

- Q. I will leave that. The last witness we had told us about a form that had materialised. I forget exactly who it was now. He said it appeared in a sort of net with folds. Would you agree with that? Did they appear in a sort of net with folds? A. No, the materialised spirits came out as anybody else would do. They had a white draping round them. I would not say they appeared with a net.
- Q. You say it was drapery? A. Yes, drapery.
- Q. Did it go into a point? A. It went down to the floor as ordinary drapery would. Sometimes they spread it out to show how much there was of it.
- Q. Did you see their feet at any time? A. No.
- Q. Nobody has been asked this so far, in my recollection. Did you see their ears ever? A. I could not say that I saw their ears. I saw their features and, if their ears had not been there, I certainly would have noticed it. My work and my experience in life is to notice physical deformities; it is my training and, if my mother came out without her ears, I would have noticed that at once.
- Q. But you do not remember actually noticing the ears? A. No.
- Q. Was there any sort of white round the face? A. Sometimes they came with a shroud over the face; sometimes they would take the cloth right off and show their skin underneath.
- Q. And your experience, and I am putting it generally, was that the form was exactly as they had been in life, was it? A. Sometimes it was exactly as in life; other times it probably was just a partially materialised form. Actually the whole body is not formed.
- Q. But the features of the face were lifelike? A. They were lifelike.
- Q. What happens to their bodies in the grave? A. Some of them do not go into the grave; they are cremated.
- Q. We have heard about the red cheeks like rosy apples, and beautiful permanent waves. What happens to the body in the grave? A. The body simply disintegrates into gases and vapours.
- Q. Including the cheeks? A. Everything. The physical body does not survive death.
- Q. You are quite satisfied of that? A. Otherwise I would not approve of cremation, which I do.

HERBERT JOHN STEABBen, *Sworn.*

Examined by MR. PEDLER.

- Q. Is your name Herbert John Steabben? A. Yes.
- Q. Are you a psychic healer, at 44 Baker Street? A. Yes.
- Q. In the last ten years how many seances of Mrs. Duncan's have you attended? A. Roughly a hundred and fifty.
- Q. Were they all at 44 Baker Street? A. No, there were some held at Tuffnell Park at a flat. I should say half of them.
- Q. Did you arrange the room yourself? A. I did. I have the cabinet that I put up in my possession here in my pocket, if you would like to see it, a very simple affair of plain black curtains.
- Q. With regard to the lighting—Have you the cabinet? A. I have them here if you would like to see them.
- Q. The jury may like to see the cabinet, the one that Mrs. Duncan appeared in. A. There are two. The other is in my pocket.
- THE RECORDER: I think we know what the black curtains are. A. Two of these I have. The other one is in the other pocket.
- MR. PEDLER: Just a simple cabinet? A. Just a simple cabinet suspended on a plain rod in the corner of a room.
- Q. About the red light that you used for Mrs. Duncan, what power was it? A. It was 100 watts, I used a rheostat to reduce it in the beginning,

until they were getting used to the light, and I would increase it just by sliding the thing along the rheostat.

Q. What would be the light? A. About half; about 50 watts.

Q. So the figures, you say, would be in a light of 50 watts? A. Everybody could recognize themselves in the room.

Q. How far from the cabinet would the red light be? A. Two lengths; that would be about twelve feet away.

Q. From the centre of the cabinet? A. I would estimate the height of two people lying on the floor to get my distance.

Q. Do you remember at a seance just before the war broke out, someone appearing to you personally? A. Yes.

Q. Who was that? A. My mother.

Q. How far were you from her then? A. I touched her.

Q. Just explain to the jury? A. She came clearly out from the cabinet, and stood about three to four feet clear of the curtains, a full materialisation. I noticed the grey hair. I noticed the difference in the eyes. The eyes are grey, whereas Mrs. Duncan's are brown. She is about half or one-third the size, and she had the peculiar little mannerisms, that as my mother I naturally recognized.

Q. Did you hear her voice? A. Yes.

Q. What did she say to you? A. She called me by a name other than I have given here as my own name to-day.

Q. Your name is Herbert John? A. My name is Herbert John. She called me Charles.

Q. Did Mrs. Duncan know you had a nickname of Charles? A. No, I think that is not known to more than three or four people, even to-day.

Q. You recognised the voice? A. Yes.

Q. Did you see your mother's features? A. Certainly. I saw the colour of her eyes.

Q. Was there any peculiarity about her face when you were talking to her? A. She had a little mannerism that, when she was under emotion, one would see before she broke down the lips tremble, like a mother would; and it was very characteristic when she was very stirred. She was stirred naturally then, and I had to comfort her instead of she comforting me.

Q. What happened to your mother's figure in front of you? A. It disappeared down through the floor.

Q. It did not return? A. It did not return into the cabinet.

Q. Do you remember another seance?

THE RECORDER: It was only an ectoplasm? A. Yes.

MR. PEDLER: The ectoplasm disappeared? A. The figure in the ectoplasm disappeared into the floor as if it melted.

MR. PEDLER: Any other manifestations? A. On the very first time when I sat with Mrs. Duncan, when she was entirely unknown to me, I saw the figure of a little child.

THE RECORDER: Can you give me the approximate date? A. Ten years ago.

Q. That will do. A. This little child of fourteen had long black hair. She had skinny arms, and very shortish, and she was very quick. She had had her leg amputated before she passed into spirit. She came out to show that she had the use of that leg. She was well able to dance, which was a thing she wanted to do when she was in life, but was unable. It was tragic. She also gave what to me was a wonderful piece of evidence. She said to me, "I have your telegram with me." This telegram was one that I had sent to her mother when she was lying ill in hospital. She had so attracted the attention of the nurses there, because no amount of morphia could stop the pain that she was suffering, and, when she had this telegram, she did not have a single moment's more pain until the time she passed into spirit.

MR. PEDLER: Was a relative of hers there? A. Not on the first occasion. She asked me that. She knew that on the first occasion, and she asked me to give her love to mummy and daddy, which I did. And next time I invited them to come and they saw her for themselves.

THE RECORDER: What is the connection between the child and the telegram? A. This telegram she had had buried with her in the coffin, and she said she had it; she had still got it.

Q. Was it that the child had suffered and you sent a telegram to the child? A. Yes, to give her my love and my help.

THE RECORDER: Yes, I see.

MR. PEDLER: Did you hear the child on the subsequent occasion when she appeared, talking to her father and mother? A. Yes.

Q. What language did they speak in? A. French and English.

THE RECORDER: And the child had got her leg restored? A. Yes, she danced on that leg, whereas before when she passed she was a cripple and unable to.

Q. We have been told the spirits usually manifest themselves in the same form in which they passed over, as it is said. This would be an exception? A. No, that is not right. There are differences. Sometimes they manifest themselves to show themselves to be recognised as the person they are with a scar. Sometimes they will come and say, "Look, the scar has gone, because I am now a perfect spirit".

Q. It is not correct to say that? A. Not always. They get healed, they become rejuvenated. I think the words of the Bible are that we become perfected. We come to ourselves again in the spirit of God.

MR. PEDLER: Did you arrange the seance? A. I did.

Q. What fee did Mrs. Duncan charge? A. £8. Latterly she has refused it.

Q. But she charged you £8? A. £8, that time.

Q. How many sitters did you have? A. Fourteen.

Q. Fourteen other men? A. They varied. On an odd occasion I might have one or two more, and there were a number where I had twelve.

Q. What do you charge each sitter? A. 12s. 6d.

Q. Fourteen sitters at 12s. 6d. What would you have after paying Mrs. Duncan? A. Fifteen shillings—A little over that; the difference is twenty-eight shillings.

Q. Did it cover your expenses?

THE RECORDER: Are you an official of some society? A. I am independent, working as a psychic healer and medium lecturer.

Q. Are you dependent upon that for your living? A. Yes, entirely.

Q. Do you call yourself by any name of institution? A. Well, no. I did form the Pathfinders' Society, but I did not want to undertake the leadership, and I asked Mrs. Blackwell if she would become the president of that.

Q. You just practise in a private capacity? A. Certainly.

Cross-examined by MR. ELAM.

Q. Would I be allowed to ask you, Mr. Steabben, how much you make out of this a year, roughly? A. Well, I am afraid it is the other way round, sir.

Q. Are you out of pocket at the end of the year? A. Yes.

Q. You don't have to pay any Income Tax? A. On my other earnings, certainly, I have to pay Income Tax; but this activity of Mrs. Duncan, for instance, the first time she came I think I had sixteen people. It is a little varied. Sometimes fourteen and sometimes sixteen, the majority fourteen, and now twelve. I gave one sitting where there were one or two more, and the next sitting I know for instance I would have not a single person who would pay me one penny. I wished to give them the opportunity, though they could not pay. I thought it was right.

Q. When they came into your sittings were chairs, or a chair, allocated to them? A. Yes.

- Q. Was it marked where they were to sit? A. No, some of them, the people who were cripples, would say, "Can I please sit in the front, because it is difficult?" but I used usually to sit the little people in front. I would have two rows and, so as to help to balance it, I would have the little ones in front, and those behind could see over, or even stand up.
- Q. Did you find it necessary to put little tickets on the chairs, like at a dinner party? A. No, I never did that; not that I can remember.
- Q. You are a psychic healer, have you any medical qualifications? A. No, none at all.
- Q. What is it? Mental healing? A. Both mental and I presume that I have some magnetic and physical power too.
- Q. How long have you been interested in this sort of thing? A. Well, I have been interested for forty years, practising twenty-five years.
- Q. Are you married? A. Yes.
- Q. Is your wife interested in it? A. No.
- Q. You have not converted her? A. No.
- Q. I interrupted you. What were you going to say? A. I was going to say I do not like to interfere with anybody's religious views, and I therefore do not go out to try to convince a person unless they come to me.
- Q. Not even your own wife? A. Certainly not. I wish to give her the same religious freedom that I demand myself.
- Q. How long altogether have you known Mrs. Duncan? A. Ten years.
- Q. Did you see the telegram that the child you told us about had? A. No.
- Q. You don't agree that spirits always appear, if they do appear, as they left this earth? A. Sometimes they do appear as they left, for the purpose of recognition.
- Q. What happens to the body in the grave in all those cases? A. It decomposes and returns to mother earth.
- Q. If a man had his head cut off, do you say he would appear with his head, or without it, or with it underneath his arm, or what? A. I am afraid I have not the knowledge of that. I have not seen a person that has lost their head, not that I can remember.
- Q. We have heard something about that; that is why I am asking that. They generally appear in earthly form? A. Yes. Otherwise, if they appeared in a celestial form, one would not recognise them. They have to appear, I think, in a way you would recognise them. If they did so enhance themselves, I think it would be difficult, wouldn't it, for anybody to recognise them?
- Q. You agree that nobody knows yet what the celestial form is, don't you? A. Well, I know we have seen vast improvements in the forms of those that have passed on.
- Q. I still ask you: does anybody know what the celestial form will be? A. No, not what we shall be. Not our ultimate.

MARIE THERESE KERB, *Sworn.*

Examined by MR. LOSEBY.

- Q. Is your name Mme. Marie Thérèse Kerb? A. Yes.
- Q. Of 22 Bure Close, Mudeford, Christchurch, Hampshire? A. Yes.
- Q. Were you present at a seance at which Mr. Steabben, the last witness, was present? A. Yes.
- Q. When something interesting happened to you? A. Yes.
- Q. What was the approximate date of that? A. Oh, that was in 1936.
- Q. Would you be good enough to tell my Lord and the members of the jury what happened? Did someone, or did a form, appear? A. Yes, my daughter.
- Q. Was Mrs. Duncan the medium? A. Yes, Mrs. Duncan was the medium.

Q. And your daughter appeared? A. Yes.

Q. How old was your daughter? A. Fourteen.

Q. What was her build like? A. My daughter was very tall and very, very slim. She had very long fingers. She came through the curtain dashing up to me and just saying, "Mummy, look, I can dance now". I must say that my daughter had lost the use of her leg in France, and she came through dancing to me, saying, "Mummy, I can dance now."

THE RECORDER: She had lost the use of her leg? A. Lost her leg.

MR. LOSEBY: Did she show you how she could dance? A. Yes, she had a long robe.

Q. Tell us about the dancing? A. She opened the robe and said, "Come along and just see. Look, Mummy, I can dance now."

Q. Can you tell us whether she danced? A. Yes, she did. She came dancing on to me. She also said to me, "Oh, Mummy, you have had such trouble to get here to-day, but I am so happy you are here". And I had, because I came from Southampton and I lost the train that I should have taken and I was late at the seance.

Q. How did you know it was your daughter? A. I know it was. A mother can tell her daughter any time.

Q. I should have thought so. Just tell me this. Did she speak to you in the English language? A. Well, the guide, little Peggy, came and sang a French song that my daughter taught her.

Q. The guide was Peggy? A. Peggy. I must also say that Albert, whom I have seen, asked for a torch in the audience.

Q. You say that Peggy came through the same time as your daughter? A. No, she did not come through the same time. She came after.

Q. You said she said something in French? A. Yes, she sung a little song that my daughter used to sing to me.

Q. How do you know that it was a song that your daughter had taught her? A. Because Peggy told me.

Q. Will you recite it in French?

A. "Au clair de la lune, mon ami Pierrot,
Prête-moi ta plume pour écrire un mot.
Ma chandelle est morte, je n'ai plus de feu,
Ouvre-moi ta porte pour l'amour de Dieu."

Q. She sang it to you like that? A. Just like that, but of course singing.

Q. Did you notice what Peggy looked like on that occasion? A. Peggy was very small and she spoke with a very strong Scotch accent, and, when she went back, I said to Peggy, "Peggy, when you get back, would you please give someone a kiss for me?" And Peggy said, "Well, your daughter does not want my love; she wants your love".

Q. Would you be good enough to tell me this. How far did your daughter come out of the cabinet? A. About four or five feet away from the cabinet at least.

Q. What was the closest that you got to your daughter? A. Oh, I mean, I was touching her hand. She gave me her hand. I was holding her hand.

Q. Would you be good enough to tell me what did her hand feel like? A. Well, it is very difficult to tell.

Q. From the point of view of size, the size of the fingers? A. The fingers were very, very long and thin.

Q. What were your daughter's fingers like when she was alive? A. They were the fingers, just like it.

Q. They were the fingers of your daughter, very long and thin.

THE RECORDER: Was it a solid hand? A. Yes, my Lord.

Q. You held it? A. Yes.

MR. LOSEBY: Had you yourself had any previous experience? A. No, it was my first.

Cross-examined by MR. ELAM.

- Q. I only want to ask you, when you were saying about your daughter, you made some movement with your hand down your left arm. I thought you wanted to say something. A. Well, I was struck by this very thin arm, a long arm which my daughter had. She had been in bed for about a year and, of course, she had got very tall and thin, and her arms were terribly thin.
- Q. Did it appear to be a bare arm, or covered with white stuff? A. It was just covered with drapery, I should say.
- Q. White in colour? A. White, yes.
- Q. When she opened her robe, as you put it, either at or before she started to dance, could you see her foot or feet? A. Well, I could see her legs.
- Q. And feet? A. Well, I cannot say that I have seen her feet, but certainly my daughter came dancing along, and she must have had her feet, but, of course——
- Q. You didn't actually notice? A. Well, I was so struck that I——
- Q. It must have been a great moment for you, was it? A. Oh, marvellous.
- Q. Have you been to meetings like this before? A. Never.
- Q. Have you been since. A. Yes.
- Q. Several times? A. Several times.
- Q. To Mrs. Duncan again? A. Yes.
- Q. Did you pay to go in this first time? A. The first time I did, yes.
- Q. How much did you pay? A. 10s. 6d.
- Q. When your daughter came rushing out, did you see the curtain move at all? A. Well, Albert had asked someone in the audience for a torch, and that torch was flashed on to my daughter's face.
- Q. Who did that? A. Albert.
- Q. Could you see the torch in his hand? A. I saw the torch; Albert held the torch.
- Q. Was the hand in white as well? A. Yes.
- Q. Did you see the curtains move? A. Yes, I saw the curtain open.
- Q. Would you agree that "Au Clair de la Lune" is a very well known piece of music? A. Yes.
- Q. A lot of us have learned it at school? A. Yes.
- Q. I should like to ask you this. How do you say Albert spoke? Will you help me about that? A. Well, Albert said, "There is one here, who is so beautiful, and I cannot keep her back, she is dashing". My daughter was very excitable; she had a very strong personality.
- Q. I don't want to stop you, but I think you mistake my meaning. What was Albert's voice like? A. I don't know how to explain. A very refined voice, I should say.
- Q. What about Peggy's voice. A. Peggy's was always a very strong Scotch accent.
- Q. Was there anything more? A. No.
- Q. How did the figures disappear? A. Just through the floor. I saw my daughter's form just going down and disappearing into the floor.

ALBERT ORMESHER, *Sworn.*

Examined by MR. PEDLER.

- Q. Is your name Albert Ormesher? A. Yes.
- Q. You live at 8 Hurlside Road, Kendal, Westmorland? A. Yes.
- Q. What are you? A. Retired sanitary inspector.
- Q. What Corporation? A. Wallasey Corporation.
- Q. How many seances of Mrs. Duncan, the medium, have you attended? A. Ten.
- Q. When was the last one? A. 3rd March, 1940.

Q. And the first one? A. 1st June, 1933.

Q. Just tell my Lord and the jury of any personal manifestation to yourself?

A. At the first sitting.

THE RECORDER: Where was it? A. It was at the house of a friend, Mr. Warren, 21 Redburn Avenue, Sefton Park, Liverpool.

MR. LOSEBY: A private house at Liverpool? A. Am I allowed just to look at dates?

THE RECORDER: Yes, you can refresh your memory. Will you give me your name? A. Ormesher, 8 Hurlside Road, Kendal, Westmorland.

Q. What happened, Mr. Ormesher? A. This was the first materialisation seance I attended. Albert, of course, came through in the usual way. First of all, I should mention that Mrs. Duncan is always searched by two ladies.

MR. PEDLER: We know of that.

THE RECORDER: You say "in the usual way". Had you been accustomed to this sort of thing before? A. Not materialisation before, but I have been a Spiritualist for forty-five years, and I have seen all phenomena. Albert said, "I am bringing through to you, Mr. Ormesher, your mother". He said, "She tells me that you were only a boy of eight when she left you". I said, "That is so". Then he said, "After she comes, your sister is coming. I believe she only died about four years ago". That is correct. My mother came through and she spoke to me.

MR. PEDLER: How near were you to your mother? A. Oh, about four feet. I was in the first row.

Q. How light was it? A. There was a good red light. I wrote an account of it to *The Two Worlds* at the time, but I want to cut it short. You could see the pictures on the walls. We conversed one with another.

Q. What about your mother's features? A. Oh, correct, what I remember. I was only eight, you see. She told me of things I did when I was a boy.

Q. Did you recognise the voice? A. Oh, I did, yes, and at the same time—I should mention this because it is in the article I wrote for *The Two Worlds*. I mentioned the fact that, at the time I saw my mother, and my sister who came afterwards, I saw Mrs. Duncan on the chair. I was just at an angle from the chair and the opening of the curtain. I could see my mother, of course, standing close to me, and I saw Mrs. Duncan clearly at the same time on the chair. She was in trance; she was unconscious.

Q. How far was the figure of your mother from the figure of Mrs. Duncan? A. The figure of my mother from me was four feet about. I was close to the curtain.

Q. Did you see anything between your mother and Mrs. Duncan, anything at all? A. No, nothing.

Q. Did you have a clear vision? A. Of the two.

Q. Of the space between the two? A. Oh, yes, distinctly.

Q. Now come to the next one. A. My mother had a conversation with me before she left me. My sister came through. She died of gangrene in the hand. She had a big hole through the palm. She said, "My hand is better now". She said, "I am so thankful to come back to you here". She shook hands with me. She said, "Feel how solid I am". I did, and I felt her warm hand; it was quite warm. I had quite a long conversation with her and, before she went; she said, "I will try to write you a little note before the seance." I put on the table a writing-pad and blacklead pencil, so that, if any message came through, she could give it me. She turned round to this table, on which was the writing pad. She held it up. She said, "It is very difficult to see". Whether it was the want of light—She wrote it and she gave it to me; she handed it to me.

Q. Your sister did? A. It said, "My dear brother, I am very happy. Emily". It was only short. I compared the handwriting. My sister was an authoress, so I had plenty of evidence of her writing. I brought another

message I have had since—I left that book—but I have had another since then at another seance on November 30th, 1933, which I have got here with me.

- Q. The handwriting, you say, was your sister's? A. Oh, quite. The formation of the letters were identical.
- Q. Did she sign it? A. Yes, she signed it "Emily"; that's all.
- Q. Come to the next seance, when was that? A. 4th July, 1933. That was at the same house, Warren's, 21 Rutland Avenue. My sister came again, and she continued the conversation where she had left off at the previous seance. She said, "I am going now. I cannot stay any longer". She went down in the usual way. She came again and she continued the conversation where she had left off. I asked her a question, whom she had met on the other side. She said, "Of course, father is here", and she said, "And of course, you have seen mother just before I came". I said, "Have you seen my brother Freddy?" My brother Freddy died seven years before I was born, of course. She said, "Yes, he has gone forward into the higher spheres". She said, "He comes down to us occasionally", but she said, "We are all very happy here; very happy indeed". I saw Mrs. Duncan on that occasion still in her chair.
- Q. Separately apart from the figure? A. Yes, that was on 4th July. Shall I go on?
- Q. Then you come to November 30th? A. 30th November, 1933. My sister came again and my brother. I had another conversation with my sister, and she told me something I was doing about two days before; where I had been, and where I was going to, and I did not know at that time that I was going to this place, but I did go. Then my brother-in-law came through.
- Q. How did you identify your brother-in-law? A. By the way he passed out. He passed out suddenly in the night, and he came back the same way exactly, saying the same words, "I am so ill". Those were the same words that he uttered when he passed out in Stockport. That was when I spoke with him and his sister.
- Q. What about his voice? Was it his voice or someone else's? A. It was his voice. He was a big man.
- Q. Did you see his features? A. Quite distinctly.
- Q. Was there anything distinctive about the features at all? A. It was him in his way. He was a very big bluff chap, and spoke very loud.
- Q. The next one was somewhere else? A. 24th April, 1935, at the Spiritualist Church in Wallasey. My sister came through, and Mr. Irvine came through. This is very evidential. I can tell you this story very quickly. Albert said, "I am bringing someone through to you, Mr. Ormesher, who sat at the same desk with you, and passed away very suddenly". I said to my daughter, "Mr. Irvine". He came through the curtain, and he said, "Well, I am pleased to see you, Mr. Ormesher, I am pleased to see you". I said, "Well, I am pleased to see you". He said, "I remember coming to your house and listening to the gramophone, and it was twelve o'clock when I left, and there was deep snow"—it had been snowing—"and I had to walk home; the buses had stopped". I said, "Look here, Iran"—that was his name—"Were you at the Church, at the funeral?" He said, "I sat in the pulpit just in front of you." He had only just been ordained by the Bishop of Chester three days before that. His son took the service at the Church and the graveside. He said, "I stood by the side of my son in the pulpit", and he said, "You went along to the ceremony. You were in Mr. Luscomb's car". I said, "Yes, I did". Everybody heard this. He said, "You stood round my grave". He said, "I was not there. I was by my wife." He said, "When the service concluded"—Now, this is very evidential, and I want you to listen, everybody!

THE RECORDER: Don't make comments. Don't make a speech. We are not at a lecture. A. He said, "When the service was over and you were leaving the grave, two ladies came along, who were not of the party, and one looked at the other and said, 'They have been putting someone away. I will see who it is'. You stepped back from the party, and this lady threw a little bunch of violets down on my grave". My Lord, that is exactly what happened. While I stood back like that, two ladies came along and said, "They are putting someone away". She said, "They will only die; I will put them on the grave".

Q. How long before 1934 did he die? A. He died about two months before that, I should think. And he told me about a bunch of flowers I had put on his grave. He said, "I thank you, Mr. Ormesher, for the white flowers that I was looking at upon my grave". And that was so.

MR. PEDLER: Your wife also appeared to you? A. Yes, but that was at the last seance.

Q. Just describe that. Tell my Lord and the jury. A. The last seance—that was at Preston on 23rd March, 1940, and my daughter Thelma came. Albert came through. He said, "I am bringing through your daughter". He said, "You lost your daughter very suddenly". He said, "You called upon me on 2nd January, 1940". I said, "I did". He said, "Your daughter is here and is coming through, but I am afraid she is very excited and will not be able to talk. Anyway, we will see". She came through and stood there, childlike. By the way, I should explain, my Lord, that my daughter went out one morning on 2nd January; the snow was on the ground, and she wandered down to the river Trent. She did not come in at dinner time or tea time, and I went to the Chief Constable of Kendal. He said, "How was your daughter dressed?" I told him. He said, "I am sorry; your daughter has been drowned".

Q. Tell us what you saw at the seance? A. Yes. She came forward, and I said, "Why did you go to the river, Thelma?" because I had forbidden her to go to the river. She said, "Sorry, Dad". She said she was very, very happy. She said, "I am with Mother now. I am very happy indeed".

Q. How near were you to your daughter? A. I was in the front row. Three or four feet.

Q. Did you see the features? A. She was ten years and four months when she was drowned.

Q. What about your daughter's voice? Did you recognise the voice? A. Oh, yes.

Q. In the case of your wife, how near were you to your wife? A. The same distance. She came through next.

Q. Did you see the features clearly? A. Yes, I shook hands with her, and the voice and everything was quite clear. You could see the colour of the hair and everything, as distinctly as we can each other here.

Q. Any other identification? A. After my wife left? She spoke to my daughter. She said to Stella, "I am so glad you have come. I am so glad Dad has brought you". Then she said, "I must go now. There are a lot waiting on the other side to come through. I must not take up very much time. I am glad to see you both here". She said, "Good-bye". She stepped back again and shouted to my daughter, "Take care of Dad", meaning me. And of course she went.

THE RECORDER: She did not seem to know that your daughter was also there? A. No, she suddenly saw her. She saw me first, and then she took a glance along those who were there, saw my daughter and said, "Stella".

Q. She did not seem to know that Stella was with her in the spirit world? A. No, Stella is my eldest daughter. Thelma, my youngest daughter, was the one that was drowned. That is my eldest daughter.

- Q. I wanted to follow. It was your living daughter that she recognised?
A. Yes, that is so, my Lord.
- Q. She told her to take care of you? A. Yes. "Take care of Dad". Then the next one to come through was my wife's step-father. He was a very tall man, a very big man indeed.
- MR. PEDLER: How tall? A. I think he was 6 feet 2. He thought a lot of my daughters.
- Q. How far did he come out of the cabinet? A. He came right out of the cabinet.
- Q. How near to you? A. About two feet. He spoke to me. He didn't say very much.
- Q. Did you recognise his voice at all? A. Yes, I recognised it. There is no doubt about it. And all the other people I have seen at a sitting I have had between these dates.
- THE RECORDER: Your father-in-law? A. No, my wife's step-father. His name was Campion.
- MR. PEDLER: I suppose they all spoke in the English language? A. Yes, but I have heard foreign languages spoken, but it has not been to me.
- Q. You have? A. Yes.
- Q. What languages have you heard spoken? A. I have heard Welsh spoken to a lady friend of mine, who sat at the back, and I have heard French spoken. That was on 10th March, 1937, and at that time, I should say, at this seance, a cousin of mine who died in Australia came through. My daughter Stella was with me on the occasion she came through. She died in Ipswich, Queensland.
- Q. What other languages besides French and Welsh? A. At the first seance, the Morse code. A message was coming to a friend of mine, Captain Smith of Birkenhead, in the Morse code.
- Q. How did you hear it? A. Someone came through whistling—it was at the first seance—"For he's a Jolly Good Fellow". Smith sat next to me. He said, "I think that is for me", and then came a message—I don't know Morse—a tapping came and he was taking it in.
- Q. You know the Morse code? A. No, I don't, but Smith told me afterwards. He said, "That's my name. That mentions the dinner we were at". There was a big dinner in London—the Prince of Wales was there, and Smith was there, being one of the heads of the Mersey Docks and Harbour Board. Smith was with him. He died about four months later. As we were going home together, he told me all about this friend who came through. At that time the curtains blew out. Of course, I have told this in the account that I wrote for *The Two Worlds*.
- Q. We only want simply what other language besides Welsh, French and the Morse code? A. That is all that I have heard.
- Q. Any dialects? A. No, only Lancashire, which my sister spoke. I come from Lancashire, really, you know; but I am very satisfied that I have seen those people that I have told you about, and if I were to describe everything, I am afraid I should take up too much time.

Cross-examined by MR. ELAM.

- Q. You have been a Spiritualist since 1899? A. I have been a Spiritualist for forty-five years now.
- Q. I think that is about right. Can you tell me in a sentence during that time how many spirits you have seen in all—in round figures to the nearest hundred. A. I should think about ten seances, taking it on an average of ten each time, that is, a hundred. I think it may be a little over that. Sometimes when I have been there there have been eleven and twelve through.
- Q. We have heard about the Morse code, and whistling 'For he's a Jolly Good

Fellow". Have you seen any animals? *A.* Yes, at the first seance a small dog came to Miss Lovett, a friend of mine. Her brother had been at the University of Liverpool. It was a King Charles Terrier, I think, a small dog, and her brother came out with it.

Q. Did it wag its tail? *A.* No, it barked.

Q. Barked for a biscuit? *A.* No, he had it in his arms and it barked.

Q. What other kind of animal have you seen? *A.* Not any other.

Q. You haven't seen a white budgerigar, have you? *A.* No.

Q. Do you believe animals have souls? *A.* I do. There is an animals' world; the animals go there, those that are loved.

THE RECORDER: You mean they all go together, a sort of home apart from the individuals? *A.* Yes, that is so. People who pass over—their animals that they love—they can find them. It is rather hard to believe these things, but that is what I have been told.

MR. ELAM: From 1899 to 1944 can you give me in round figures how much you have spent on seances you had to pay to go in? *A.* Oh, yes.

Q. Give me a figure? *A.* I used to pay ten shillings, but I have engaged Mrs. Duncan through the Birkenhead Church on six occasions.

Q. How much did you pay? *A.* I have invited my friends there, you see, and I have taken our Medical Officer of Health from Wallasey. I could give all the names and addresses, you know. I have taken two ladies, and I have taken the Unitarian Minister from Wallasey. They all want to go again. In the meantime I removed to Kendal.

Q. I am sure you will answer the question and save wasting time, if you can. How much did you pay when you hired Mrs. Duncan privately? *A.* At the rate of ten shillings a sitting. You see I did not in fact charge some of those who sat. I paid for them, but it cost me ten shillings a sitting. I invited three or four of them.

THE RECORDER: How much did you pay Mrs. Duncan? *A.* I paid the secretary of the Birkenhead Spiritualists' Church, Mr. Edwards; and of course he pays.

Q. How much? That is the question. *A.* I should think about £9.

MR. ELAM: A time? *A.* A time, yes.

THE RECORDER: If you want to engage Mrs. Duncan, to whom do you apply? *A.* Well, I used to apply to Mr. Edwards. He used to let me know when Mrs. Duncan was coming to Birkenhead. She came about twice a year.

MR. ELAM: Did you employ any other medium? *A.* No, it has always been Mrs. Duncan. My experience in Spiritualism has been the direct voice of clairvoyance.

THE RECORDER: Before you came into contact with Mrs. Duncan, you never saw any manifestations? *A.* Not materialisation. I have heard voices, and I have been awakened up at night in bed and given a message.

MR. ELAM: Was your daughter a Spiritualist? *A.* Oh, yes, my other daughter Vera. I used to take my eldest daughter to one seance, and the next time it was my daughter Vera's turn.

Q. Is *The Two Worlds* a Spiritualist paper? *A.* Yes, it is published in Manchester.

Q. You are a regular subscriber to that? *A.* I used to take it. I have written an article, if you would like to gaze at it, my Lord.

THE RECORDER: No.

MR. ELAM: Have you written several articles for that? *A.* No, only that one to *The Two Worlds*. I do write to other papers.

Q. Have you ever given lectures on Spiritualism? *A.* No, but I have spoken at meetings, but not lectured.

Q. You have addressed meetings about it? *A.* Yes, that is so.

Q. Tell me about the hand. Was it warm like a human hand? *A.* Quite as warm. My sister told me to take hold of her hand. She died of

gangrene. I saw it in the hospital; it was eaten away. She said, "My hand is better now". It was quite warm.

Q. Not cold? A. No, warm. When you took hold of it you could feel the bones were there.

THE RECORDER: It was not hard? A. Oh, no, quite soft.

MR. ELAM: You could feel the bones? A. Yes.

Q. When you saw Mrs. Duncan in the chair, did you notice if she had her shoes on? A. She kicks them off. She doesn't know, being in trance; she moves her feet and they fall off. She might put her feet on a chair when she enters the seance room. My daughters went with one of the ladies on one occasion.

Q. I don't want to pull you up. It is not for me to pull you up, but would you just answer? Did you notice, when you saw Mrs. Duncan in the cabinet, whether she had her shoes on or kicked them off? A. I never noticed that. There is another thing I might say.

THE RECORDER: You are only being asked about shoes, you know.

MR. ELAM: And I hope it is a fair and proper question. If she had been standing up in the cabinet when you peeped round the curtain, you would have been pretty annoyed, wouldn't you? A. I have not seen her standing up.

Q. That is what you looked to see? A. Yes, I look into these things. I investigated before.

Q. That is where she ought to have been sitting down? A. She was sitting down. I have never seen her on her feet when she was in trance.

Q. Have any of these spirit forms told you anything more as to what it is like on the other side? A. Yes.

Q. Can you tell us shortly? A. I said to my sister, "What are you doing now, Emily?" She said, "I am teaching on the other side". She said, "You know I was always fond of children. I am at the same work now. We have our schools".

Q. They have schools? A. Yes, schools. She said, "There is no roof. Of course, as you know, we have no night". I said, "Are you happy?" She said, "Oh, very. I am happy to do what I do now, teaching children when they come over". She said, "I teach children the part of the life that they have missed by passing over so early".

Q. As you have had so much experience, will you tell me this? We have heard about those loved by you that you have seen. I suppose there are people in the world that you don't like very much? A. I suppose all people are that way. We like some and dislike others; we don't get on with them.

Q. Have you ever seen anybody at these seances that you did not like? A. You mean materialise?

Q. Yes. A. No, I have not. They all seem very happy. They all seemed very happy and very eager to come through; very eager to be given a chance to come through.

Q. And all people you were glad to see? A. Yes, I have always been glad to see them.

Re-examined by MR. LOSEBY.

Q. Did you gather what my learned friend was suggesting to you? A. No, I did not.

Q. I thought perhaps you did not. That Mrs. Duncan had taken her shoes off for the purpose, I presume, of creeping into the audience and simulating the people that you have spoken of. Is that possible? A. Mrs. Duncan is in trance; she doesn't know. On one occasion the first question she asked was, "How many came through?" I am rather deaf in one ear; that's the reason I do not catch everything that is said. It is just wax; I have to keep—

- Q. I will speak quite clearly. You have spoken of various people that you have seen and identified? A. I have.
- Q. Could it possibly have been in any single case not the person you thought, but Mrs. Duncan? A. No, definitely no. I have seen tall, big people.

VINCENT WOODCOCK, *Sworn.*

Examined by MR. LOSEBY.

- Q. What is your full name? A. Vincent Woodcock.
- Q. Of 9 Henley Avenue, Cleveleigh, Blackpool? A. Yes.
- Q. You have been good enough to come from Blackpool.
- THE RECORDER: What are you? A. Electrical draughtsman.
- MR. LOSEBY: You have sat with Mrs. Duncan several times, have you? A. Yes, nineteen occasions.
- Q. Do you remember how much you paid? A. The most I paid was 10s. 6d. The least I think was 8s. 6d.
- Q. Were most of the sittings at the same place? A. Eighteen were at Fleetwood and one was at Preston.
- Q. Just as shortly as we can, have you had materialisations that interested you personally? A. Definitely, yes.
- Q. Take the most important one, first of all? A. My wife.
- THE RECORDER: About how long ago would this be? A. It would be between the period of October, 1939, and October, 1942, a period of three years.
- MR. LOSEBY: How many times in all has your wife appeared? A. On every occasion, nineteen occasions.
- Q. Nineteen in all? A. Yes.
- Q. Have you any doubt of any kind that it was your wife? A. None whatever.
- Q. Tell us about the first occasion? A. My wife passed away on 7th June, 1939, and in October of that same year, towards the end of the month, I went to Fleetwood, to Mrs. Bushley, of Fleetwood. That was my first seance. My wife had died with heart trouble and dropsy and, before she passed, she had excessive palpitation. That was the first thing that came through.
- Q. Your wife came through? A. Yes.
- Q. How do you know it was your wife? A. By the palpitations that she had when she died.
- Q. Your wife came through. When your wife came through, how close to you did she come? A. I was in the front row. She came about a foot away from where I was sitting, and she thanked me, her mother, father and sister, for what they had done for her.
- Q. You had got your wife within a foot of you. Did you kiss her?
- THE RECORDER: There is no need to stop him, I think.
- MR. LOSEBY: Go on in your own way. A. She came through, and the first thing she said was she wished to thank the family for the gift of flowers that her little girl had thrown on to the coffin at the cemetery, at the funeral at Chorlton-cum-Hardy, Manchester. My daughter threw a bunch of flowers on to the grave.
- Q. Could you see your wife clearly or not? A. Definitely I could see her clearly. I could outline the features. I was positive it was her.
- Q. Did you touch her? A. Not on that occasion.
- Q. What about her voice? A. It definitely was her voice.
- Q. The voice of your wife? A. Yes.
- Q. And she has come through nineteen times? A. Nineteen times in all.
- Q. Have you any doubt of any kind about it? A. No, I am absolutely convinced in mind that it was my wife.
- Q. Have you touched her on any occasion? A. Yes, it was on an occasion

in the following March, about eight months afterwards. My wife came through and invited my [present] wife, her sister-in-law, to come up to her in front of the cabinet, and my wife came up to me and took this ring off my finger, which I have here. She pulled it round thus. It was extremely difficult for me to get it off, and she put it on to my sister-in-law's hand, thus. She clasped our hands together and kissed them, and said, "It is my wish that this takes place for the sake of our little girl." Twelve months after that, her sister-in-law and I got married. She expressed great satisfaction. She came through on another occasion and said how pleased she was for the sake of her little girl.

- Q. Apart from your wife, has anybody else come through that you knew?
A. Yes, my stepmother who was killed in the Manchester blitz. She was killed in the December. She said it was her. She called me by my Christian name, after she came out of the cabinet.
- Q. What is your Christian name? A. Vincent.
- Q. Does Mrs. Duncan know your name as Vincent, as far as you know?
A. Possibly she does now, because I have sat on nineteen occasions. She did not know then.
- Q. Did she say anything else. How did you know it was your mother-in-law?
A. I am sorry, my stepmother. After my wife had been through, she said, "I have brought Lily with me". Now my wife had had music lessons from my stepmother, because she was a music-teacher.
- Q. Mrs. Duncan said, "I have brought Lily through"? A. Yes.
- Q. As far as you know, did Mrs. Duncan know that your stepdaughter's name was Lily? A. She had never met her.
- Q. How long before that had your stepmother died? A. About three months.
- Q. How close to you did your stepmother get? A. About two feet.
- Q. Could you see her fairly clearly? A. Definitely the features, because she said, "This is what they did to me", and showed me the blood mark, where, she said, "I was hit in the blitz". She was killed in the Manchester blitz. I did not know that at the time. I knew she had been killed, but I did not know any details about the body, but I asked my brother on my next visit to Manchester and he told me.
- Q. Had your brother heard of it? A. He had heard of it, but he had never given that information to anyone before.
- Q. The sound of the voice was the voice of your stepmother? A. Definitely, yes.
- Q. Apart from that, has anybody else well known to you come through?
A. Yes, not personally. I am only concerned with my own personal evidence. Other people have come through.
- MR. LOSEBY: We do not want anything else. You have told us all you know.
- THE RECORDER: We will break off there.

(Adjourned for a short time).

Cross-examined by MR. ELAM.

- Q. Mr. Woodcock, you have told us that you saw your wife on no less than nineteen occasions. When you had seen her the first two or three times were you looking forward to seeing her again? A. Definitely, yes.
- Q. And your expectations and hopes were realised, were they? A. Yes.
- Q. Did she talk with a Lancashire accent? A. No, she spoke the ordinary way, because she was born in Manchester, and on every occasion it was more a family incident, because her mother and father were there. She was always enquiring about the wife and so forth. It was personal matters that were spoken about every time.
- Q. I am not being rude about it. Did she talk with a Manchester accent?
A. No.

- Q. Did she in life talk with a Manchester accent? A. No, because when we were married, at first we went to live in Birmingham for a number of years, and then went to live in London and came back to Manchester.
- Q. You remember her talking about Vincent, do you? A. Yes.
- Q. Can you tell me what meeting that was. I do not want the date, but how many meetings out of the nineteen had you attended, when she said Vincent, roughly? Did it come early on in the sequence, in the middle, or at the end of the nineteen? A. When she came through the first time she spoke to us all by name. I mentioned about her dying with heart failure. She came through and she said to us, "Mother, father, Ruth, Vincent", on the very first occasion.
- Q. When was that? A. The very first occasion, and every time she did the same. After she had been through the first time, Albert said, "I am not announcing the next person, as they have been here before". She came to the curtains, threw the curtains apart. I said, "Lilian". She said, "Yes". She started talking on intimate details to all the family. It was she without the slightest doubt; it could not be doubted in any way.
- Q. Had you been a Spiritualist before you went to your first meeting? A. Yes, I was a Spiritualist in an imperfect way in my younger days. I did not start serious investigation until my wife passed in June, 1939.
- Q. You knew a little about it? A. I knew a little about the subject. I never witnessed a materialisation until I went to that first seance.
- Q. How much did you pay? A. 8s. 6d. I paid on one or two occasions, and then ten shillings afterwards. I have never paid more than 10s. 6d.

Re-examined by MR. LOSEBY.

- Q. When you first went, what effect did the materialisation sittings with Mrs. Duncan have on your mind? A. I was of an open mind.
- THE RECORDER: I do not think that really arises, does it, Mr. Loseby?
- MR. LOSEBY: If your Lordship pleases.
- THE RECORDER: Have you been after 1942 to any seance? A. October, 1942, was the last seance I attended. When the photographs were taken, I saw Mrs. Duncan and Albert.
- Q. I only asked you if that was the last one? A. Yes.
- Q. You have not seen your wife materialise since? A. Not for eighteen months. As soon as I get the opportunity I shall be delighted to have another sitting with Mrs. Duncan, the first opportunity I get. I am so convinced; it is so real.

SIR JAMES WILLIAM HARRIS, *Sworn.*

Examined by MR. LOSEBY.

- Q. Is your name Sir James William Harris? A. Yes.
- Q. You live at 22 Pinthorn Place, Edinburgh? A. I do.
- Q. You have come from Edinburgh for the purposes of this case? A. That is so.
- Q. You are a Justice of the Peace? A. Yes.
- Q. For the City of Edinburgh, and you are a Fellow of the Institute of Journalists? A. That is so.
- Q. You have been a psychic investigator, haven't you? Would you describe yourself as that? A. Yes, I think so. I am interested in psychic things as a matter of science.
- Q. You have been a psychic investigator for many years? A. For at least twenty years; over twenty years.
- THE RECORDER: You are a journalist by profession? A. Yes.
- Q. Not a scientist? A. No. Journalism is my profession.
- MR. LOSEBY: Have you sat with Mrs. Duncan on several occasions? A. Yes, I should say something like at least fifteen occasions.

- Q. When was the last occasion? A. I should say about two years ago. Three years ago, perhaps.
- Q. Have you yourself had materialisations of persons known to you personally. A. Yes, I have had materialisations that I could recognise on two or three occasions.
- Q. Would you be good enough to deal with those first of all, materialisations where you personally identified? A. Yes. Well, one that occurs to me as specially interesting was the materialisation of Sir Arthur Conan Doyle.
- Q. Did you know Sir Arthur Conan Doyle personally? A. Yes, he was a personal friend of mine. I have a great many letters from him. He was kind enough to write an introduction to a book of mine on the subject and, always when he was in Edinburgh, he communicated with me, and I used to meet him at dinner and otherwise, and we discussed various things. Shortly after his death I was asked to go to a private house in Edinburgh, again someone who was a friend of Sir Arthur Conan Doyle. There were a very small number of us—four, I think—and in the course of Mrs. Duncan's sitting, a figure materialised. It was not stated who he was. After looking at it a little, I clearly recognised Sir Arthur Conan Doyle.
- THE RECORDER: Was he introduced by Albert? A. No, there was no introduction. It was left to me to recognise him, and I was certainly not expecting him. It came as a great surprise to me.
- Q. Mrs. Duncan was the medium, was she? A. Yes.
- Q. Engaged by your friend? A. Yes, Mrs. Roughhead. Sir Arthur spoke as usual. It took the usual sequence. It was held in this lady's house. One of the sitters was a W.V.S. of Edinburgh. I cannot recall the fourth at the moment. Mr. Roughhead was an especially close friend of Sir Arthur Conan Doyle; they exchanged visits and stayed at one another's houses.
- Q. Mrs. Roughhead? A. Mrs. Roughhead arranged that sitting.
- THE RECORDER: We have heard about her in this case.
- MR. LOSEBY: Will you deal with the identification? A. Yes. Well, of course, the figure was rather whitish; it had not the natural colour that I have occasionally seen at Mrs. Duncan's sittings; it was a little what you would call ghostly; but I did easily recognise the rounded features of Sir Arthur Conan Doyle, and the voice spoke with the truest similarity to the voice of Sir Arthur Conan Doyle.
- THE RECORDER: Do you remember what he said? A. I was so much taken aback. It was a question of answering my questions at first. I contented myself with enquiring whether he found the conditions shortly after his death in accordance with his expectations generally. He said, "Yes." My recollection is just generally, with some little variations, it was exactly what he had expected. The figure remained materialised only for a very few seconds. It sank, in the last answer he gave, into the ground at the foot of the cabinet. It came back in two or three seconds. I continued the conversation. I think I spoke about current affairs. He said something; it was not anything very notable. I only had a few seconds. He remained there visible for a matter of something like ten seconds.
- MR. LOSEBY: Has Sir Arthur Conan Doyle ever materialised to you personally on any other occasions. A. No, that is the only occasion.
- Q. Any other identifications that you can give? A. Yes, slightly more recent. I think about three years I was at a sitting, more or less a test sitting, in the Edinburgh Psychic College with Mrs. Duncan as the medium, and quite a number of forms materialised. At one point a young woman who had been a nurse materialised. I was not again expecting anything of the kind.
- Q. Was she well known to you personally? A. Very closely known and related to my wife. She spoke, and while I did not recognise the features in

- this instance, I did recognise the curious kind of habit of movement; and the things she said I thought were characteristic, and she pointed to me with a kind of gesture she used to have. And, on the whole, from various things I was fairly clearly convinced that this was the nurse in question.
- Q. Anybody else personally known to you when they were alive? A. Well, I have not too good a memory; I am just giving some instances. I cannot put my hand on the notes. I usually make notes of these kind of sittings. I remember one or two rather curious things relating to a sitting with Mrs. Duncan. On one occasion I was told by Albert that here was someone who had been accustomed to meet me in a place where there were only men, and I at once thought of the Scottish Arts Club; and then I recall while he was speaking, a friend of mine, an elderly man, an American sculptor, and well known in this country, too. I remember he had just passed away. Albert said he did not think he would materialise, but he tried to speak. He did say two or three words, but the curious thing was that the words were preceded by a dry little cough, and I never knew this man to start to speak to me on any occasion without a little dry cough. It was the one characteristic about him, and I found it was reproduced on this occasion.
- Q. Possibly I may just ask you this, very quickly and as a matter of interest. Can you tell us what Albert's name was when he was on earth? Do you know? A. I do not know. I just know him as Albert.
- Q. There is a picture or sculpture of Albert? A. Yes, we have a sculpture of him in the Edinburgh Psychic College. It was given by an Aberdeen sculptor who had attended sittings, and he made this sculpture which was afterwards shown in the Royal Scottish Exhibition, the premier exhibition in Scotland; and it is now in the Psychic College.
- Q. Just under the name of Albert? A. Yes.

Cross-examined by MR. ELAM.

- Q. Have you written a lot of books on this subject? A. One.
- Q. When did that come out? A. About twenty years ago.
- Q. Were you and Sir Arthur Conan Doyle really intimate friends? A. I have twenty or thirty letters from him. I have one of the last letters he wrote.
- Q. Are you prepared to say you were intimate? A. He was constantly being asked to write prefaces to books, but he consistently refused. He made an exception in this case; maybe that was because he was a Spiritualist himself. I think that is common knowledge.
- Q. Does a J.P. in Scotland mean what it does in England. Does it mean you are a magistrate? A. Yes.
- Q. Do you sit in Court? A. No, only a few are usually detailed to sit in Court.
- Q. Were you a J.P. in 1933? A. No.
- Q. Were you in Edinburgh then? A. Yes, I have been in Edinburgh forty years.
- THE RECORDER: When was your last sitting with Mrs. Duncan? A. I should say about two or three years ago.
- MR. ELAM: I should like to ask a similar question to Mr. Dodd.
- THE RECORDER: There is no objection.
- MR. ELAM: Living in Edinburgh and being a J.P., did you know that Mrs. Duncan had been convicted in Edinburgh in 1933? A. Yes. I sat through that trial. I gave very careful attention to it. I did not agree with the verdict. It was a trial by the Sheriff's Substitute.
- Q. She pleaded not guilty? A. Oh, yes.
- THE RECORDER: Is that the prototype of our Stipendiary Magistrate here? A. More or less, yes. He is a full-time occupation.

Q. He is a qualified barrister, is he? A. Chosen from the barristers' list.

Q. From the Bar? A. Yes.

Q. How long did the trial last? A. I think it lasted about two days. I was interested to some extent, although not called as a witness, because I was one of the management committee of the Scottish Psychical Society at that time, and Mrs. Duncan was supposed to be giving a sitting for them which was wrong; she was not asked by them, she was asked by somebody else. If she had known it was not the Scottish Psychical Society, she would not have given the sitting.

Q. Was evidence called on her behalf? A. Yes.

Q. Were the people who had been present at the seance? A. I am not so clear about the evidence on her own behalf. Certainly a number of people did give evidence who had been to seances with her.

Q. Evidence given on her side? A. Yes.

MR. ELAM: The case was contested. Was she represented? A. She was represented by a young lawyer, whose very first case it was.

THE RECORDER: Was there any appeal from that decision? A. No, there was no appeal at that time.

MR. ELAM: She was fined £10 or a month's imprisonment? A. Yes.

Q. Were the allegations in the charge that this spirit was in fact a woman's stockinet undervest held and manipulated by Mrs. Duncan herself? A. Yes.

Q. Was the other allegation that the audible voice was the sound of Mrs. Duncan's own voice? A. I never heard of that allegation.

Q. You know the one of the stockinet undervest? A. Yes.

Q. Was the allegation that she had done it for money—£4? A. She gets her regular fee. Actually the people who were making the profits on this occasion were the people who brought the prosecution.

Q. Money came into it? A. Oh, naturally, yes.

Q. Did you hear the evidence? A. I heard every bit of the evidence.

Q. Was there evidence that Mrs. Duncan was seen on her knees at one time out of the cabinet? A. I don't recall that.

Q. Do you recall that there was evidence that she was hastily trying to tuck the stockinet undervest up under her clothes when the light was switched on? A. There were allegations of that kind—to me, perfectly absurd. The statement by the chief witness for the prosecution, a very powerful woman indeed, was that, when Mrs. Duncan was dangling this rag from her finger and thumb, she clutched it and she could not hold on. She was a very muscular woman. She took Mrs. Duncan by surprise. If she could not hold this miserable rag in her hands, what was the reason? She could not explain.

Q. She was a very big muscular woman? A. Yes, sixteen stone, I should say.

Q. Do you remember the evidence that a white substance was pulled through the policeman's hand? A. I read evidence to that effect.

Q. Was the evidence that Mrs. Duncan had her shoes on or off? A. I do not remember anything of that kind.

Q. I want the jury to appreciate the position. How long have you been a J.P.? A. I was made a J.P. about five years ago by the Lord Provost of Edinburgh at the time.

Q. Is it the same as a Justice of the Peace in England? A. Yes.

Q. Have you any judicial, or wide judicial, powers under it? A. I can take declarations and oaths.

Q. Your answer to the jury is, is it, that you do not accept the finding by a court of your own city, Edinburgh? A. I may express an opinion that an error was made.

Q. By a court in your own city? A. By a court of different jurisdiction from mine.

- Q. You being a J.P. is that right? A. Yes.
- Q. Do you know the very next month—we have had evidence of it—having been convicted on the 11th May—in June, the following month, in the very same room, Mrs. Duncan was holding a seance again? A. I am not surprised.

Re-examined by MR. LOSEBY.

- Q. Indeed, has that particular conviction affected the minds of any of the psychic investigators known to you in Scotland? A. Not in the slightest.
- Q. Is it an easy matter for a person totally unacquainted with these phenomena to give judgment, in your view? A. Oh, I should think it is very difficult indeed for anyone not acquainted experimentally with some of these things to understand the process at all, or to take it in.
- Q. And a tribunal, however high its integrity, might make mistakes? A. Almost inevitably, in a complete state of ignorance about psychic phenomena.
- Q. Just tell me this. My learned friend was good enough to say that it was suggested that the phenomena were effected by a child's undervest. In your view, could any of the materialisations as you observed them, be effected, or even assisted by, the use of a child's undervest? A. Not at all. It seems to me too ridiculous to suggest that a circle of people were more or less under the misapprehension that it was a small child, if it was a little rag being held by the finger and thumb of the medium.
- Q. Is that the type of allegation that is sometimes made by the ignorant and uninitiated? A. Yes, it is in line with the usual cheesecloth allegation.
- Q. The cheesecloth theory? A. Yes.
- Q. Do you treat the cheesecloth theory with any respect at all? A. None whatever. It is perfectly absurd, I think.

JAMES McDUGAL DUNCAN, *Sworn.*

Examined by MR. LOSEBY.

- Q. Your name is James McDougal Duncan? A. Yes.
- Q. Of 120 Marchmont Road, Edinburgh? A. Right.
- Q. You have attended several sittings with Mrs. Duncan? A. I have attended twelve.

THE RECORDER: What are you? A. I am a jeweller.

Q. In Edinburgh? A. Yes.

MR. LOSEBY: When was the last one? A. About three or four months ago.

Q. During that period of time have you had any experiences personal to yourself? A. Do you mean with Mrs. Duncan?

Q. Yes, with Mrs. Duncan. You are no relation? A. No, not one of the clan.

Q. I am sorry, Mr. Duncan, my learned friend asked me to ask you. A. That's all right.

Q. Not even of the clan. Anyone known to yourself? A. You mean people known to me who have come at seances?

Q. Yes? A. My wife. She died two and a quarter years ago. I have had eight sittings with Mrs. Duncan since that time, myself and my daughters, and she has appeared each time, several times in a fairly good light, once particularly bright. Now I should just like to tell you about that, if you do not mind.

THE RECORDER: About how long ago was it? A. About three months ago.

Q. You mean the end of last year? A. Yes, I cannot give you the exact date.

Q. At what premises? A. It was in Mrs. Duncan's house in Edinburgh, this particular seance was. It was the last one we had with Mrs. Duncan. I want to tell you about this particular light. We have at home a small

electric light, you know, a bed light, like a flower with a bent stem. We coloured that little bulb red, and we covered it over with red silk. We took it to this seance. The cabinet was formed with two curtains. The curtain was about 4 ft. 8 ins. from the mantelpiece. I stood this little lamp at the corner of the mantelpiece, beneath the cabinet. I thought my wife would part the curtains in the centre and come out. Instead of that she went to the side next the light and pulled the curtain aside and stood there with the light shining clear on her face. I went up to her and saw her. I was within eighteen inches of her. I spoke to her. I saw her most clearly, the best I have ever seen her.

Q. Did she speak to you? A. Yes.

Q. What did she say? Do you remember? A. Intimate things. We have discussed certain intimate and domestic things. She knew that we had considered going to Canada to my son there, and she told me at the sitting there once, "Go to Canada. You will be much happier. You will be in better health. Go there".

MR. LOSEBY: What about the voice? Was it her voice? A. My wife's voice.

Q. What about the appearance? A. Yes, the appearance of my wife. I lived with her forty-five years; I should know her voice and her appearance.

Q. One would have thought so. The appearance was the appearance of your wife, the voice was the voice of your wife? A. Undoubtedly. No question.

Q. Were the matters that were discussed between you, as far as you know, known to Mrs. Duncan? A. No, absolutely no, because we did not advertise that fact.

Q. What size woman was your wife? A. Just about my height, about 5 ft. 6. Not a stout woman.

Q. Could you by using your imagination imagine how your wife's body and voice could have been simulated by anyone? A. I have not a shadow of doubt in my mind that the form I saw was that of my wife, speaking to me, as she used to speak, in a quiet voice. She had a quiet voice.

Q. Has your wife ever materialised to you on any other occasion? A. No, except the eight times. We give her every opportunity of doing so.

THE RECORDER: Are all these seances at Mrs. Duncan's house? A. No, some at my niece's house. Four or five have been at my niece's house. She is just on the outskirts of Edinburgh.

MR. LOSEBY: Anyone else known to you? A. My father, my mother, and my two brothers.

Q. I want you to take them. When was it that your father appeared? A. About six months ago it would be.

Q. How close to you did he come? A. I went right up to the cabinet and spoke to him.

Q. Why do you say it was your father? A. Because I knew my father. He had a beard and spoke in the voice that I knew well. He was just about my height.

Q. If I may be allowed to ask this, was there any doubt at all? A. Not in my mind. There were only five or six other sitters at that sitting.

Q. You have spoken of your father. Who else do you say? A. My two brothers and my mother.

Q. Take one at a time? A. My mother came first at that seance, and then my father. I went right up to her.

THE RECORDER: What about your mother? A. I went right up to the curtain too, and she spoke to me. She said, "Are those the lassies?" My two daughters were there. I said, "Yes". She said, "It makes me feel old". Now that is just what she would have said had she been on the earth, just the very same expression she would have used.

- MR. LOSEBY: How do you know it was your mother at all? *A.* By seeing her and hearing her. I saw her quite clearly. I was quite close to her.
- Q.* How soon did your mother come after your father? *A.* My mother came first, and then my father quickly after.
- Q.* I want you to tell us about this. How soon did the forms come after one another? *A.* Very quickly.
- Q.* Imagine a cheat or a swindler working behind the curtain. Can you imagine—say so if you can—anyone being able to simulate these forms from the point of view of the speed with which they came, one after another? *A.* No. Impossible, I would say.
- Q.* Go on. You have got as far as your mother. What was the other one? *A.* My father and then my two brothers.
- Q.* How do you know they were your two brothers? *A.* One of them, my niece—
- THE RECORDER: Did you recognise your brother? *A.* Yes, I will tell you in a minute.
- Q.* You can leave that for cross-examination. You recognised your brothers? *A.* Yes.
- MR. LOSEBY: By appearance and voice? *A.* Yes.
- Q.* No doubt about it at all? *A.* Not at all. Not at all.

Cross-examined by MR. ELAM.

- Q.* Mr. Duncan, you are absolutely sure about this and that is what you have come to tell us? *A.* That is right.
- Q.* Did you go to Canada, as a matter of fact? *A.* No, we are going as soon as the War finishes.
- Q.* I am sure we all hope it will finish. Have you ever seen any good conjurers? *A.* Yes, I think so.
- Q.* Did you always or ever know how the tricks were done? *A.* No, I did not know how the tricks were done. I am not a conjuror myself.
- Q.* That is very fair. How long have you been a Spiritualist yourself? *A.* Over forty-two years, and I have seen much of the phenomena of the Movement, much of it.
- Q.* Was your wife a Spiritualist? *A.* Yes, she had been a Spiritualist forty odd years too.
- Q.* Did you pay to go to the seance? *A.* Yes, we did pay a little.
- Q.* Had you seen any manifestations or materialisations before you came into contact with Mrs. Duncan? *A.* Yes.
- Q.* Some other medium? Have you ever seen anybody materialise that you did not particularly want to see materialise? *A.* No.
- Q.* Can you give me in round numbers how many Spiritualists you know at present in life? You know, in the circle of your acquaintances and friends. I don't want to trap you. *A.* I should think it might easily have run into thousands, but I could not tell you exactly. I know many.
- THE RECORDER: There is nothing morally wrong—we are not concerned, of course, with morals—in disturbing the dead, from the Spiritualists' point of view? *A.* No, because we believe there are no dead.
- Q.* Disturbing the departed spirits? *A.* They are not dead; they are just as much alive as you and I are to-day.
- Q.* Leave out the dead. There is nothing wrong in disturbing departed spirits? *A.* We do not disturb them.
- Q.* Contacting them? *A.* They come of their own free will. My wife through other mediums has told me to thank her for giving her the opportunity of coming through. She says it helps them. There is nothing wrong in it, absolutely nothing.

Re-examined by MR. LOSEBY.

Q. My learned friend has suggested to you in his questions: are you quite sure that your wife was not the result of some clever conjuring trick?

A. My dear sir, I went to London forty years ago.

THE RECORDER: I suppose the answer is "No".

MR. LOSEBY: Most emphatically "No". A. Yes. Definitely there is nothing that could change me from that.

JOSEPH WOOD MILNE SMITH, *Sworn.*

Examined by MR. LOSEBY.

Q. Your full name is Joseph Wood Milne Smith? A. Yes.

Q. You are a solicitor of 78 High Street, Dunfermline, Fife? A. Yes.

Q. You have been attending seances at which Mrs. Duncan has been the medium for the last six years? A. I have.

Q. At the Psychic College, Edinburgh? A. Yes.

Q. Do you remember the first sitting you attended? A. I do.

Q. What sort of frame of mind were you in when you first attended? A. Well, I was rather curious. I had not experienced any sittings before, and I went with my wife, who was previously interested and had been interested prior to that, out of curiosity and in order to be satisfied as to the genuineness of psychic phenomena.

Q. With quite an open mind? A. A perfectly open mind, a sympathetic mind.

Q. At the first sitting did you have a materialisation personal to yourself? A. Yes.

Q. Could you put a date to that? When do you say it was? About six years ago? A. Yes.

THE RECORDER: That is near enough. A. Somewhere about six years ago.

MR. LOSEBY: What relative came to you? A. My mother came.

Q. Can you say what sort of lighting there was and how far away you were? A. That was the first sitting I had been to and the first materialisation I had seen. I had rather a difficulty in distinguishing the features at that particular time. The light was not too good, according to my view, and I could not see my mother's features very clearly; but I was able to identify her by her voice.

Q. By the voice did you recognise her? A. By her voice, and the words she used. I may say that of course my fiancée, as she then was, definitely identified her features. She seemed to have the faculty of being able to identify features better than I could.

Q. Then you lost your wife? A. That is so.

Q. Afterwards, in 1940, you attended a sitting? A. I have attended three since then.

Q. What happened at those sittings? A. At the first sitting she came through.

Q. Your wife? A. My wife came through. She materialised. She spoke to me. She called my name, and by her calling my name I could have identified her without reference to anything else. Without reference to having seen her.

THE RECORDER: How long after her death was this? A. Probably about a year after her death—six months or a year after her death. She died in 1940.

MR. LOSEBY: You recognised the features? A. I recognised the features.

Q. Was there anything particular about them? A. Her form of speech. It was the way she pronounced my name Joe. She had a peculiarity of pronouncing my name, in this sense, one would almost think she put a "d" before the "J".

THE RECORDER: What does the Psychic College consist of? A. It is a whole house and everything is devoted to the pursuit of psychic phenomena.

- Q. Is it run by a local Edinburgh Society? A. Yes, it is.
- Q. A society of Spiritualists or people interested in it? A. Yes, they hold lectures, demonstrations and seances of all different kinds.
- MR. LOSEBY: Your wife has appeared to you on more than one occasion? A. Yes, I remember another occasion when I was at the same college, Mrs. Duncan being the medium. Two friends of mine, husband and wife, wished to go and I took them there. My wife was known to my male friend on this side, but she was quite unknown to his wife.
- Q. Where were you sitting on that occasion? A. On that occasion I was sitting right at the side of the cabinet. As if the curtain were here, I was sitting here.
- Q. The first seat on the left facing the cabinet? A. Yes.
- Q. How near would that be to where your wife appeared? A. A foot.
- Q. How far did she come out when she came out? A. She came out two feet.
- Q. How near to her were you when she came? A. A foot from me.
- Q. Did you see your wife's features then? A. Yes, perfectly clearly.
- Q. And the voice? A. The voice was hers all right. I remember distinctly. It emphasised to me the genuineness of matters. She said, "You are here all together?" I said, "Yes", referring to my male friend as well and his wife as Ruby. She said, "So I see". She nodded to them, and immediately said to Ruby, "I like your costume". Now it so happened, unknown to me, that Ruby, my friend's wife, had a new costume made for her, and she had had it for the first time that day.
- Q. When she went back to the curtain, did she turn round or walk backwards? A. No, I could better describe it by saying that she went backwards towards the curtain and disappeared, as she went, into the floor.
- Q. Have you any other interesting identifications? A. Yes, I also saw at a sitting an artist friend of mine who had died. I have some of his pictures in my office. He also materialised in the presence of his superior, the Director of Education for the county. Both the Director and I were at that sitting. We both identified him.
- Q. How near were you when you identified? A. I should say three feet. In this case he spoke. I recognised his voice definitely and his appearance.
- Q. Did you touch anything that materialised to you? A. No, I have never on any occasion touched them.
- Q. Have you heard any dialects or languages? A. Dialects, yes. I have heard several forms who have come from my part of the country, Aberdeen, talking in Doric.
- Q. Aberdeen? A. Yes.
- Q. Any other besides Aberdeen? A. No.

Cross-examined by MR. ELAM.

- Q. What is your occupation in life? A. Solicitor.
- Q. Did your wife convert you to Spiritualism? A. No.
- Q. You said she had been interested when she was your fiancée. That is why I asked you. Did you talk to her about it when you were engaged? A. Yes, quite a lot.
- Q. Did you pay for this seance? A. I did, yes.
- Q. Was the light more or less the same at all of them? A. More or less, but I remember some of us speaking to Mrs. Allen, who had charge of the seance room, about the lighting, suggesting it was rather dim. I thought, judging from my first view of materialised form, that the lighting was probably not bright enough. I suggested a brighter light and that was done.
- Q. Was it a bit better then? A. Oh, yes.
- Q. Do you think you could have made a mistake about this? A. Oh, none whatsoever.
- Q. Answer this, sir, if you will be good enough to answer it. Do you think

you have made any mistakes in your life? A. It depends what you mean by mistakes.

Q. About anything? A. I dare say we all do that.

Q. I just wanted to see if you would admit it. Do you think you have made any mistakes in your life—things you would like to do differently if you had a chance over again? A. Certainly.

Q. I just wanted to see if you would be brave enough to admit it. A. It does not require any bravery.

Re-examined by MR. LOSEBY.

Q. Have you ever mistaken your own father for anybody else? A. No. certainly not.

Q. Or your mother? A. Certainly not.

THE RECORDER: Your father did not appear? A. No.

Q. Only your mother? A. Only my mother.

Q. At Edinburgh or anywhere else have you been to seances other than those of Mrs. Duncan's? A. Yes, I have. Very few altogether.

Q. Have you seen any of your relatives at those seances? A. No, the only others are those conducted by the Psychic College, of which Mrs. Duncan is the medium.

Q. You say you have been to other seances where mediums have been employed, but you have not seen any of your relatives? A. No, because they were not materialisation seances.

Q. I only asked you the question. The answer is "No". A. The answer is "No".

LILY HURD, *Sworn.*

Examined by MR. LOSEBY.

Q. Is your name Lily Hurd? A. Yes.

Q. Mrs. Lily Hurd? A. Yes.

Q. Of the Post Office, 88 Crossgate Road, Crossgate, Leeds? A. Yes.

Q. Have you been to any of Mrs. Duncan's sittings? A. Yes.

Q. Do you remember how much you paid when you went? A. I paid nothing because I had Mrs. Duncan at my house, and I agreed at a fee. There was no charge; it was entirely private.

THE RECORDER: She lodges with you? A. I beg your pardon?

Q. Does Mrs. Duncan live with you? A. No, but I had her at my house for seances for a number of people. There was no charge as is known as a charge.

MR. LOSEBY: You yourself have had her at your house? A. Yes.

Q. And the sittings have been at your house? A. Yes.

Q. How many sittings have there been at your house? A. Four.

Q. I am going to ask you this. Have you supervised the sittings? A. Yes.

Q. During the whole of those four sittings have you observed anything of any kind that made you suspicious? A. No.

Q. Have you yourself been fortunate enough to have any materialisations that you personally identified? A. Yes.

Q. Who were they? A. My mother.

Q. About when was it that your mother came? A. I cannot tell you the exact date, but it was soon after she passed away four years ago.

Q. Did your mother come far out of the cabinet? A. She came quite out and was recognised by other people in the room who only knew her by sight.

Q. Never mind the other people. Did you recognise her? A. Yes.

Q. Do you mean you think you recognised her? A. I am sure.

Q. How close did she get to you? A. She came quite close.

Q. Did she speak to you? A. Yes.

Q. What about the voice? A. Exactly the same as in life.

- Q. Your mother's voice? A. Yes.
- Q. Your mother's appearance and your mother's voice? A. Yes.
- Q. Anyone else beside your mother? A. My aunt by marriage.
- Q. Did you know your aunt by marriage well? A. Yes.
- Q. About when was it that she came? A. She came at the same seance I have been speaking of.
- Q. How close to you did your aunt come? A. She came to the chair where I was sitting, and pulled me up to speak to me privately.
- Q. Did she speak to you privately? A. Yes.
- Q. Was it in regard to any matter known to Mrs. Duncan? A. No.
- Q. You still have not told us how you know it was your aunt? A. Well, I can tell you that quite easily. My aunt took her own life, and she was telling me of the sufferings she had gone through through that act.
- Q. What about her appearance? A. It was exactly the same as I had known her.
- Q. And her voice? A. Just the same.
- Q. The voice of? A. My aunt.
- Q. Anybody else? A. There were friends but no more relatives.
- Q. Never mind about friends unless you knew them? A. I knew them well.
- Q. Anybody you knew well? A. Yes, a schoolfriend whom I knew as Amy Hurd, no relative.
- Q. About when was it she came through? A. She also came at the same seance.
- Q. How close to you did she come? A. Not quite so close as my mother, but close enough to see and recognise.
- Q. What about the voice? A. The voice was the same as I have always known. We went to school together and we have known one another all our lives.
- Q. Anybody else? A. A little girl, a niece of that same lady.
- Q. About how tall was the little girl? A. About three feet.
- Q. Are you sure it was not Mrs. Duncan in disguise? A. Quite sure.
- Q. How close to you did she come? A. She came up quite close because she came to ask me for her Aunt Ethel, who was not present.
- Q. So far as you know, did Mrs. Duncan know she had an aunt Ethel? A. No. And another thing, Mrs. Duncan could be seen at the same time as the child, and was seen by every person in the room.
- Q. What about the child's voice? A. She sang us a song, 'Jesus Wants me for a Sunbeam', in a small childish voice, as she had heard it at school.
- Q. Had you heard that child sing that before? A. No.
- Q. Had you heard her singing before? A. No, but I knew the child.
- Q. But you hadn't heard her singing? A. I had not heard her sing.
- Q. Anybody else that you know? A. Nobody that I knew personally.
- Q. Anybody you knew by sight? I think you have told us enough, thank you very much. By the bye, there is one thing. Was there an incident between you and your aunt? A. Well, she kissed me before going back.
- Q. She kissed you? You were close enough for that? A. Yes, she drew me quite close to her.

Cross-examined by MR. ELAM.

- Q. How did you come to ask Mrs. Duncan to come to your house? Just shortly what made you ask yer? How did you get into touch with her? A. Because I had heard much about her from a friend of mine who lives close by.
- Q. Had she seen her? A. Yes, several times.
- Q. Was she a Spiritualist? A. Yes.
- Q. Were you before you saw Mrs. Duncan? A. Yes.
- Q. Have you ever seen Mr. Homer? A. No.

Q. Mrs. Brown? A. No.

Q. Nobody in this world could shake you about your belief in this, could they?
A. No.

MARGARET LYONS, *Sworn.*

Examined by MR. PEDLER.

Q. Is your name Margaret Lyons? A. Yes.

Q. Of 92 Copland Road, Glasgow? A. Yes.

Q. You are a psychic healer? A. Yes.

Q. How many seances of Mrs. Duncan's have you attended? A. Four.

Q. Where did you attend them, in Glasgow or in Edinburgh? A. One in Holland Street, Glasgow, some years ago, the other three in the Psychic College, Edinburgh, 33 Ryde Row, Edinburgh.

Q. Which is the one where your father appeared? A. Hercot Road Psychic College, the last sitting I had.

THE RECORDER: When was that? A. About 1940.

MR. PEDLER: When he appeared, exactly what was said, do you remember?

A. Yes. I recognised him instantly by his face; his nose was broken and sort of went over a bit. When I heard Albert ask me to come forward, he said, "You are not afraid to come forward and see who this is?" When I saw him, I said, "Daddy". I was only thirteen when my daddy died, and I recognised him instantly. He said, "Marget", that was the name he called me—Marget, not Margaret—and I stood sort of speechless. I could hardly believe the tremendous revelation. All he said to me was, "Yes, Marget, I am proud of you. You have made a far better teacher than ever I could make you". By those words he meant the fact that I wanted to be a school teacher, and him dying when I was only thirteen, the eldest of five of a family, I could not be a teacher, because my mother could not afford it, and it meant a good deal to me, those words. Nobody could fake those words; they were known only to me. He said, "I am proud of you, Marget. You are a better teacher than ever I could make you."

Q. Did you touch him? A. I was asked by Albert, would I like to shake my father's hand; and I did. The hand was raised like that, and I took his hand. Then back to my mind came the small finger, with no bones; it was contracted. When I shook hands I said, "Your wee finger. It is really you". That is all.

Q. How tall was your father? A. I don't think he was quite 5 feet 5. He was a small man.

Q. What was he in life? A. A riveter, a shipyard worker.

Q. That means hard work with his hands? A. Yes, he had very hard hands. That is one thing again that I noticed, his sort of horny hard hand, my daddy's hand, and my daddy's voice. No one could say my name as he did; I could never mistake that. He was of Irish parents. He had rather a way of saying it, which could not be said by anybody else.

Q. Did you touch any other part of him? A. Oh yes; his face. I put my hand on his face; the guide invited me. He said, "Would you like to touch him?" I did that; I touched his face and felt the sort of bristly hair on his face as if unshaven. My daddy had a very short illness. He came home on the Wednesday from his work and died on the Monday morning. I remember that morning he died. His face had a sort of growth of hair which was pretty heavy, and that was one of the facts again that was noticeable when he appeared.

Q. Did you know anybody in the room at the time? A. Just the people who were sitting in a circle. About ten of us were sitting there, and I was at the end seat.

Q. Would anybody else there know about you? A. No, the sitting was quite a casual sitting, not arranged by me; but I was doing work at the Psychic

College, healing, and I had an hour or two to spare, and I was invited by one of the ladies of the College would I like to sit, it would be company rather than sit downstairs alone. I just went up, not sort of pre-arranged or anything. No, I did not know the sitters.

Cross-examined by MR. ELAM.

Q. Are psychic healers recognised by the medical profession, so many of whom have come from Scotland? A. Not officially, but unofficially, yes. I have quite more than a dozen doctors who send me cases. I am invited into the hospitals and infirmaries and asylums. Would you like to see this, which might throw some light on my work—

THE RECORDER: Don't bother; just answer the questions. A. It will take a long time to tell that.

MR. ELAM: I only want to ask one more question. Have you ever been dead sure in your life, and then found out afterwards you have been wrong all the time? A. There is one thing I am very positive about, and that is that I took the hand of my father.

Q. I am going to ask you, to see what you say. Have you ever been dead sure about anything in your life and then found out afterwards that you have been dead wrong; and, if so, will you admit it? A. I do not quite just get your question.

THE RECORDER: Are you a Spiritualist? A. Yes.

Q. How long have you been a Spiritualist? A. About sixteen years.

Q. When you say you are a psychic healer, what sort of complaints do you heal? A. That is why I was offering you this paper.

Q. I would sooner you tell me. What sort of diseases? Rheumatism, for instance? A. Yes, rheumatoid arthritis, cancer, tuberculosis.

Q. There is no need for anybody to have cancer? A. No, not if caught in the early stages. Not all things are curable; there are laws of God as well as of man.

Q. Try to answer the question, will you? A. I am sorry.

Q. Not generalising. You can cure cancer in the early stages? A. We have cured it in advanced stages.

Q. You say "We". I am asking you about yourself. A. Yes.

Q. How do you go about it? A. By the laying on of hands, asking God's help. To Him nothing is impossible.

Q. Rather like the style of the Christian Science healers? A. No, nothing like that, not the same as that. It is not faith-healing; it is the laying on of hands. "More greater things than these shall ye do."

JOHN WILLIAM GERRARD, *Sworn.*

Examined by MR. LOSEBY.

Q. What is your full name? A. John William Gerrard.

Q. Where do you live? A. 7, Bycroft Street, Henbridge, Chester.

Q. You have come to London for this case? A. No.

Q. Are you living in London now? A. No, at Chester.

Q. You have come to London to give evidence in this case? A. Yes.

Q. Have you attended as many as forty or fifty sittings with Mrs. Duncan? A. Quite true.

Q. Do you call yourself an investigator? A. No.

Q. You are a Spiritualist? A. I am a Spiritualist.

Q. Most Spiritualists are investigators, are not they? A. I have no idea what others are; I only take myself.

THE RECORDER: What are you by occupation? A. Plumber, my Lord.

THE RECORDER: A very useful occupation.

MR. LOSEBY: You paid, I presume, for every sitting you went to? A. Paid for the expenses.

- Q. Did you organise the sittings, or were you just a sitter? A. Many of them, but I also paid the same as a sitter.
- Q. During the whole of the period of those sittings, did you see many materialisations? A. As many as twenty-three in one night.
- Q. During the whole of that period of time, just as far as your judgment goes, did you see anything suspicious of any kind? A. I always made absolutely foolproof.
- Q. The answer is no, that you did not see anything suspicious during that time? A. Nothing whatever.
- Q. Have you any materialisations of a particular interest to yourself? A. My two boys and my daughter.
- Q. How long ago would that be? A. Well, I suppose they have come these last twelve or fourteen years, two and three and four times a year.
- THE RECORDER: When was your last sitting? Was it last year, 1943? A. No, it would be probably about twelve months last October, or about that time.
- Q. About eighteen months ago. Where was it? A. In my own house.
- Q. With Mrs. Duncan? A. Yes.
- MR. LOSEBY: Let us deal with your two sons first of all. Take them one at a time. A. Yes.
- Q. How old was this son who came through? A. The one who passed into the spirit world at nine would be about thirty, my youngest boy.
- Q. I don't want to deal with him because you would not be able to identify him then by sight? A. Oh, couldn't I? I beg your pardon. I am his father, and his mother was there.
- Q. Tell us about it? A. He told me to help his mother with certain things in the house.
- THE RECORDER: Was that the son who died at nine? A. Yes.
- MR. LOSEBY: How do you know it was your son? That is all I want for the moment. A. The same eyes, the same nose, the same hair and the same ears as in his photograph.
- Q. And the voice? A. And the voice; undoubtedly the voice.
- THE RECORDER: You recognised him? Was he a lad of nine as he appeared to you? A. In the first instance. He has grown.
- Q. The first time you saw him? He died when he was nine years old; did he then appear to you to be the same age? A. The same age.
- Q. Just as he was? A. Just as he was.
- Q. He died how many years ago? A. Eighteen. I was abroad at the time.
- THE RECORDER: The end of the last War.
- MR. LOSEBY: Did he appear to you as he was just before he died? A. Yes.
- Q. Have you any doubt about it at all? A. None whatever.
- Q. The other boy you told us of, how old was he? A. Nineteen when he crossed the border.
- Q. That particular boy when he came through, how did you know that he was your son? A. By the same characteristics.
- THE RECORDER: You recognised him? A. Yes.
- MR. LOSEBY: Have you any doubt about it? A. Not the slightest.
- Q. Anybody else besides your two boys? A. My sister-in-law.
- Q. Any other child of yours? A. A daughter came.
- Q. You have not told us about her. How old was she when she died? A. At birth.
- Q. What appearance had she got when she came through? A. The first time she came, Jack brought her in his hands right out under the light and said, "Mother, she was very tiny when she came to me, but I am going to rear her until you come to meet her". Those are the exact words, as far as my memory serves me.
- THE RECORDER: Which of the boys? A. The eldest.
- Q. Have you seen the child again? A. Yes.

- Q. Is she altering, growing? A. As tall as her mother.
 Q. How did she come the last time you saw her? With Jack or without Jack?
 A. Jack brought her, and she put out her two hands to her mother.
 Q. When he brought her, was she in his arms or able to walk? A. Just walk; she was tall enough to pick up her mother in two hands like that, and turn her face, face to face, and said, "What a likeness!"
 MR. LOSEBY: Was there a striking likeness? A. There was a striking likeness.

Cross-examined by MR. ELAM.

- Q. Mr. Gerrard, it comes to this, does it not? You have been to forty seances and I suppose it is right to say that, if at any one of them you had seen anything suspicious, you would have told the rest? A. I should have finished altogether with an "ism", if I had had the slightest suspicion.
 Q. Do you believe in palmistry? A. I have no idea what palmistry is.
 Q. Or telling fortunes by cards? A. No, I am not a cards enthusiast.
 Q. I wanted to see what you say. Some people do tell fortunes in the tealeaves?
 A. I have a religious belief in Spiritualism.
 Q. Why have you a religious belief? A. Well, I am now a confirmed Spiritualist, I have been for twenty years, probably more.
 THE RECORDER: You mean you believe in an after-life? A. Yes, I do, my Lord.

HELAINE FRY, Sworn.

Examined by MR. LOSEBY.

- Q. Is your name Mrs. Helaine Fry? A. Yes.
 Q. Of Holland Park Gardens, London? A. Yes.
 Q. You have sat with Mrs. Duncan at several sittings? A. Yes.
 Q. You have organised sittings for her? A. Yes.
 Q. Have you usually paid a contract price, a fee, that you paid Mrs. Duncan usually? A. Yes.
 Q. Do you remember how much it was? A. Eight guineas.
 Q. Eight guineas for a sitting? A. Yes.
 Q. Has that struck you as reasonable or not, or do you think it too much?
 A. No.
 Q. How many sittings would you think you have had with Mrs. Duncan?
 A. Eight or ten.
 Q. During the whole of that period of time have you seen anything suspicious?
 A. No.
 Q. Have you yourself been fortunate enough to have any personal identifications? A. Yes, quite a lot.
 Q. Who were they? A. My sister, my nephew, my uncle, my father-in-law, my mother-in-law and my son.
 Q. Would you be good enough to tell us first of all about your son? How do you know that he was your son, Mrs. Fry? A. It is very difficult to explain. My son was never born in the flesh. Albert said it was my son, but he has never had completely his physical body on earth. He said he would try to bring him to me. He tried, and my son came, and Albert said he could not give him a face. He came and opened his arms to me but he had no face.
 Q. Anyone else? A. My people in-law, my father and mother-in-law.
 Q. Did you know them fairly well? A. I knew them extremely well.
 Q. You say he came. Who are you speaking about? A. My father-in-law.
 Q. How do you know it was your father-in-law? A. He was so much like himself, and looking rather frail, like he was in the last two years in his life; and all the things he said.
 Q. What about his voice? A. Exactly like his voice, and like himself.
 Q. What was the name of your father-in-law? A. Edward Alexander Fry.

- Q. Do you mean you think it was he? A. I have not the least doubt.
- Q. How close to you did he come? A. I was very close to the curtain, but he recognised his son at the end of the room and all my children, and he made a remark he would have made as when he was in the flesh, about the children: "How much they have grown!" He had the habit of measuring their heights every time he saw them, and keeping a record of it.
- Q. Anyone else? A. My nephew, who was killed in the Maginot Line.
- Q. What was his name? A. John Valet.
- Q. How do you know it was your nephew? A. By his size, his stature, his personality. He was a very tall boy. He showed his dark hair.
- Q. Have you any doubt of any kind it was John Valet? A. Not the least doubt.
- Q. Did he speak to you? A. No.
- Q. Did any of these people speak to you? A. Yes, a French girl who came once.
- Q. Was she a girl you knew? A. I could not recognise her, because Albert said she was a schoolfriend. I could not recognise my schoolfriend, but she talked French perfectly.
- Q. Do you know Mrs. Duncan fairly well? A. Yes.
- Q. As far as you know, does Mrs. Duncan speak French? A. I do not think so.
- Q. Any other case of identification of particular interest to you, Mrs. Fry? A. I have heard Swedish being spoken to a Swedish man, at the Spiritualists' International Congress at Glasgow, at which I was an interpreter.
- Q. Did you check up the Swedish? A. I do not understand Swedish. The man spoken to was a delegate, a Swedish doctor. He told me he conversed with his mother.
- Q. You checked up on that? A. Yes.
- Q. Any other case of somebody you knew when they were here? You have told us a good many. A. Yes.

Cross-examined by MR. ELAM.

- Q. Did you see any animals at any time? A. Yes.
- Q. What kind? A. Dogs and birds.
- Q. What sort of birds? A. Probably a bird like a little canary.
- Q. Was it yellow? A. No.
- Q. White? A. All white.
- Q. Any other kind of birds? A. No.
- Q. Did the canary sing? A. Yes.
- Q. Whistle? A. Whistle?
- Q. Did it whistle? A. I don't know the difference.
- Q. What is the word? *Siffler*? A. Yes.
- Q. Did it do that? A. Yes.
- Q. Do you believe animals have got souls? A. Yes.
- Q. You do? A. Yes, they may belong to a certain soul group.
- Q. Do you believe in Christian Science? A. I do not know Christian Science.
- Q. One thing is certain, you believe in Mrs. Duncan absolutely? A. Yes, certainly.
- THE RECORDER: How did you come to contact her? A. I heard of Mrs. Duncan when I was at the Congress in Glasgow in 1937.
- Q. You engaged her to come to London, did you? A. No, it was long afterwards. I met her many times besides at my place, before.
- Q. Do you live in Glasgow? A. No.
- Q. You live in London now? A. I live in London.
- Q. Were these seances held in London? A. Yes.
- Q. At your house? A. Except one in Glasgow.

- Q. In your house? A. Some in my house, some elsewhere.
- Q. Other people's houses? A. Yes.
- Q. Did you get Mrs. Duncan to come to London, then? A. Not specially for me.
- Q. Was she doing a round of visiting? A. Yes.
- Q. You engaged her? A. Yes.
- Q. Did you invite friends to come? A. Yes.
- Q. And you charged the friends? A. Not all; some of them, and some of them came as friends, and paid no fee whatsoever.
- Q. Have you a family alive? A. I have three daughters alive and a son in spirit.
- Q. Is your husband alive? A. Yes, my husband is alive.
- Q. When was this son of yours stillborn, or not born in the flesh? How long ago? A. He would have been twenty-four now if he had lived.
- Q. When you say he was never born in the flesh, you mean he was stillborn or a miscarriage? A. Yes.
- Q. An early one or a late one? A. Five months.
- Q. When you saw your son, the spirit materialisation, was he being carried by anybody? A. No, he was not.
- Q. What form did he take, a grown form? A. He was like all the others, because he is grown-up now, except that they could not build him a face. That was the only difference, but he was my son, I know.
- Q. Because Albert said so? A. I could feel it. I talked to him.
- Q. He was grown-up, you mean, to the extent to which a man of twenty would be grown? A. Yes, absolutely. He is fully alive now.

JANET DODDS, *Sworn.*

Examined by MR. PEDLER.

- Q. Janet Dodds, of Chigburn House, 22 Ridgsbarn, Dunfermline? A. Yes.
- Q. How many seances have you attended? A. Maybe thirty.
- Q. With Mrs. Duncan as medium? A. Yes, Mrs. Duncan being the medium.
- Q. Do you remember the first sitting at a friend's house? A. Yes.
- Q. Where was that? A. Mrs. Milne, Downhill Road.
- Q. At Dunfermline? A. Yes.
- Q. What relation appeared to you? A. My father.
- Q. How near were you? Were you sitting near the curtain? A. I went up close to the curtain. He asked me to come and see him. I went right up to the curtain and saw him.
- Q. Did you see his features? A. Yes.
- Q. Was there anything about his face that you identified him by? A. More by his words, the words that he said.
- THE RECORDER: When was this? Give me some sort of date. Was it last year or the year before? A. No, that is six years ago.
- MR. PEDLER: What words did he use that particularly identified him to you? A. He used my name, and he used the name that we always called him in the house.
- Q. What was that? A. "Foy". That meant "father".
- Q. How do you spell that? A. I could not tell you. It was just the children. We could not say "father." It was only a childish one, and we just kept it up. "Foy."

THE RECORDER: Whose house was this? A. Mrs. Milne's.

MR. PEDLER: Did he remain talking to you very long? A. No.

Q. How did he dematerialise? A. He dropped down to the floor, disappeared.

Q. Didn't come back to the curtain? A. Just between the curtains, but I saw him drop.

- Q. Did anyone else appear to you? A. Well, my sister and my mother have appeared to me. My father mostly.
- Q. Your mother materialised, did she? A. Yes.
- Q. How near to your mother were you? A. Close to her. She asked me to come and see her.
- THE RECORDER: At the same sitting? A. Yes.
- MR. PEDLER: Did you remain sitting or stand up? A. No, I went up to the curtain to see her.
- Q. Did you go to the curtain each time to see your father, mother and sister? A. No, that was not the same Sunday.
- Q. Now about your mother. How did you recognise your mother's voice? A. I was a wee bit excited, but it was my mother. Before my mother died I stood by the fireside and she said, "If I pass away, if I come through, I shall sing a hymn or I shall say, 'It is true'". And all my mother came and said was, "Jean, it is true", and she dropped. Not a soul knew about that, no other body.
- THE RECORDER: Was she a Spiritualist? A. No, in fact we did not believe in it.
- Q. You are now? A. Well, you know, I love to go to them, and I love to hear what they have to say, if possible.
- Q. You have an open mind still? A. Yes.
- MR. PEDLER: Do you remember an incident between yourself and Albert, the guide? A. Yes.
- Q. What happened? A. I was sitting. It was the first time I had seen Albert so clearly, and I said, "Oh". That is all I said. It could have been anybody who could have said it. He said, "Yes, Mrs. D. I am 6 ft. 2. Would you like to come and see me?" I said, "Yes", and Albert stood there. I stood here, and Mrs. Duncan was stretched on a chair, which I noticed, for I was looking for Mrs. Duncan, and she was stretched on a chair.
- THE RECORDER: How close were they? A. Albert was here; I was here, and Mrs. Duncan was here. Albert said, "Mrs. Duncan, you get up and see whether Mrs. Dodds or you is the taller of the two", and he passed his hand over our heads and said, "Mrs. Dodds has got it".
- MR. PEDLER: Have you heard any languages at all at seances, any other language than English or a Scotch accent? A. No.
- Q. Any other identifications of people you knew very well—you personally? A. Well, I saw one come through, and he had a scar on his face, a person I knew, and I knew he was killed in an aeroplane.
- Q. What was his name? A. He was a South African; Gilbert, I think it was.
- Q. How near did he come to you? A. He did not come to me; he came to my sister-in-law, and I knew him. He pointed to his face and we saw the scar right down his face. I saw it.
- Q. Did he say anything? A. He said who he was. He said he was Gilbert.
- Q. Did you recognise the voice? A. I was not so friendly, but the girl said it was his voice.

Cross-examined by MR. ELAM.

- Q. Were you a little bit or a wee bit excited the whole time, Mrs. Dodds? A. No, I was not excited.
- Q. You have got used to it now? A. Yes.
- Q. Do you believe in ghosts, things you can see through? A. No, I don't believe in ghosts.
- Q. If anybody had told you they had seen a ghost and they could see through it, what would you say? A. I have never happened to see a ghost.
- Q. What would you say if somebody told you they had seen one? THE RECORDER: You would like to consider the matter? A. Yes.
- MR. ELAM: You would like notice of that question, like they do in Parliament?

THE RECORDER: Don't bother her. (*To the witness*) Could you see through these manifestations? Were they transparent or a fake? A. No, it was not transparent to my idea. It just seemed like something in a beautiful robe, pure white.

Q. Did they all wear a robe? A. Yes.

Q. A white robe? A. Yes, a white robe. I have seen them come in a black one.

MR. ELAM: What happened to the white robe just before they disappeared? A. I don't know, but I saw my father go down; and everything just went like that. I saw him go down, because I was standing at the curtain.

THE RECORDER: Did the white robe go with him? A. Everything. I just said, "Are you going now?" He said, "Yes", and down he went. Everything disappeared. Mrs. Duncan was in the chair, for I saw her.

FRANK SPENCER, *Sworn.*

Examined by MR. LOSEBY.

Q. Is your name Frank Spencer? A. Yes.

Q. You live at 11, Brook Street, Higher Broughton, Salford? A. Yes.

Q. You have sat with Mrs. Duncan several times, have you not? A. Yes.

Q. How many times in all have you sat with her? A. Five times.

Q. During that period of time you have been particularly fortunate, have you not? A. Yes.

THE RECORDER: Give me the limit of the time. What years? A. 1933 was the first.

Q. The last? A. The last one was 25th November, 1942.

MR. LOSEBY: What materialisations have appeared for you personally, that you personally know? A. The first that materialised was my brother, who was killed on a motor-cycle. He materialised, came through and spoke to me. I asked him if he could come a little clearer out of the cabinet so that I could see his features more clearly. He came further out. I saw his face, the small moustache he wore. I asked him a question: "What was your Christian name?" He said, "Why, Merlin". I said, "Well, how did it happen?" He was killed on the cycle at five in the morning. He said, "I was cycling towards the lane end, and the bike got into a pothole and I crashed. I picked myself up, and somebody said a little later, 'It's no use bothering with him; he is dead'".

Q. Was that correct? A. Yes, that was correct.

Q. Are you quite sure it was your brother? A. Definitely. I asked him the question.

Q. What about his voice? A. Yes, the voice of my brother.

Q. The appearance? A. He was 5 ft. 10. He was much taller than myself.

Q. How far from him were you? A. About three feet.

Q. What light? A. Fairly good red light.

Q. You have told us about your brother. Someone was announced as your daughter? A. My brother said, "Vera is coming after me".

Q. As far as you know, did Mrs. Duncan know you had a daughter called Vera? A. I had never met Mrs. Duncan in my life before. This was the first seance I had been to. Vera came through just as she was, fourteen years of age. I got close and reached over, and she came closer and reached over and said, "This is Vera, Daddy". My wife was with me as my child passed. She had said, "They are coming for me. They are bringing the flowers. Take me with you". My wife asked the question, "Whom did you see when you were passing out of the body?" She said, "The first to meet me was little Primrose". That was a little child who was killed three weeks before. They went to the same school.

Q. You are quite sure that it was your daughter? A. Definitely.

- Q. Was the voice the voice of your daughter? A. The voice of my daughter.
- Q. How many times in all have you seen your daughter? A. Four times.
- Q. Have you ever been fortunate enough to touch her? A. I have held her hand and kissed her lips.
- Q. Is she a slim girl or stout? A. Just nicely formed; she was just medium.
- Q. Someone came through who you thought might be your father, didn't you? A. Definitely, yes.
- Q. Did he come through? A. My father had one leg. My father came through with one leg. He spoke to me just a few words. He said, "Wait a minute, lad". He went back into the cabinet and came out and said, "See, I have two legs now".
- Q. You mean he had built up before? A. He had built it perfectly.
- Q. Did Mrs. Duncan know, as far as you know, that your father only had one leg? A. Definitely not. Mrs. Duncan didn't know me at all.
- THE RECORDER: Was it on the first occasion? A. I had three materialisations on the first occasion.
- MR. LOSEBY: What was the voice like? A. The voice was the voice of my father, and I could see his beard as perfect as I can see you.
- Q. Was it a deep voice? A. Fairly modulated, but he spoke with a Cheshire accent. He said, "How art thou, lad?"
- Q. As they say in Cheshire, do they? A. Yes.
- Q. Could Mrs. Duncan have imitated that voice, as far as you know? A. It was not Mrs. Duncan. She is broad Scotch, and it was a man's voice.
- Q. Could she have imitated a man's voice? A. I don't think so.
- Q. You know the Cheshire dialect? A. Yes, he said, "Carry on. Don't stop now; carry on".
- Q. Has your father been through more than once? A. No, only once. My daughter has been through four times. Another brother came.
- THE RECORDER: At this first seance? A. No, another seance.
- Q. Where was the first seance held? A. In a solicitor's house, a solicitor named Mr. Izard Eaton, of Blackpool.
- MR. LOSEBY: Just tell us about the other brother? A. My other brother was badly wounded in the last War in the lower portion of the body. He operated on himself.
- Q. We want to know if you recognised him? A. Yes. He had tubes in his inside, and told me all about it.
- Q. Could you check that up? A. I checked that up, because he came back from the War. I had been with him since he came back from the War.
- Q. As far as you know, did Mrs. Duncan know that? A. Nothing whatever about my brother.
- Q. Why do you say it was your brother? A. Because he spoke to me of an incident that happened in our lives. He quoted an incident when he came on leave and we had a party at my eldest sister's before he went back again. He said, "Do you remember me playing the old melodeon, and we had a good time?" He played the melodeon.
- Q. What about his appearance? A. His appearance to me was just as it was when I saw him last.
- Q. What was his voice? A. The voice of my brother.
- Q. What dialect does he speak in? A. Cheshire.
- Q. Any other relation? A. My grandmother once came through. My grandmother came to me and touched me on the shoulder and said, "Hello, lad, isn't it grand to come back like this?" I lived with my grandmother for a long time. I definitely recognised her.
- Q. What dialect did she speak? A. Cheshire too.
- Q. Anybody else you identified? A. I identified a girl that was brought by Albert to come through that I did not know had passed out of the body. He said, "A friend of yours wants your aid", I called to the friend to come

forward and, as she came out of the cabinet, she said, "I am Lily". I told Lily I could not see the features very clearly, and she came a little nearer. I said, "Lily Cunningham, I did not know you had passed".

- Q. Did you know anyone called Lily Cunningham? A. Yes.
 Q. As far as you know, does Mrs. Duncan even know Lily Cunningham? A. Not at all.
 Q. Why do you say it was Lily Cunningham? A. Because I recognised the girl, because I lived in the same street as her. She had been in my home so many times with my daughters.
 Q. How did you recognise her? A. By her features, by her voice and by her mannerisms. She had a habit of touching her mouth.
 Q. She touched her mouth? A. Yes, she had had sleeping sickness. Yes, she touched her mouth.
 Q. You have had more than the usual number of materialisations, haven't you? Are you very experienced? A. Well, I have had evidence otherwise than through materialisations.

MR. LOSEBY: I follow. You seem to have had a good many.

Cross-examined by MR. ELAM.

- Q. What else have you had experience of, besides materialisations? A. I have had evidence through the mediumship of Holland House, which described my daughter, gave the full name, gave the full name of my father, and gave the full name of my father-in-law.
 Q. Have you read books about Spiritualism? A. A few.
 Q. Ever spoken about it? A. Yes.
 Q. Ever written anything about it? A. Yes.
 THE RECORDER: What are you? A. I am a Corporation labourer on the Salford Corporation.
 MR. ELAM: Had your father's leg been amputated in life? A. Yes.
 Q. When the second leg built up could you see the foot? A. Yes.
 Q. What was the colour of the leg? A. White like the ectoplasm. I could see the full form of my father, feet and everything.
 Q. His bare foot? A. Well, just the white ectoplasm. I could not just say it was the bare foot.
 Q. But no amount of questioning in this or any other court would shake your belief that all you have said is the truth? A. Definitely.

Re-examined by MR. LOSEBY.

- Q. Would any amount of questioning shake your belief that the people you saw were the people described by you? A. No amount of questioning would make me deny that they were my own people.
 Q. You have written. Do you mean you have written letters or written articles? A. The point is that, when I have spoken, it has been taken down in shorthand and typed out.
 THE RECORDER: You lecture on the subject? A. Now I do, since I have been in touch with Mrs. Duncan and had evidence, I have decided I must give my own life to the work. I want to help to bring men to realise that there is no death.
 MR. LOSEBY: I have available many other witnesses, but they are all really of the same type and description. I have had a conversation with my learned friend on the subject, and he does not object to my referring to that fact, just for what it is worth, to the jury. My Lord, I say quite frankly they are of the same type.
 THE RECORDER: You would be able to say that in any case.
 MR. LOSEBY: That is my case.
 MR. ELAM: I should certainly not make the comment that he had not called them.

THE RECORDER: It would be very desirable to finish this case to-morrow. One would like to reciprocate the patience the jury have shown by not inflicting more upon them than we can help. Then we will try to finish this case by to-morrow afternoon.

SEVENTH DAY.—FRIDAY, 31ST MARCH, 1944.

THE RECORDER: Mr. Elam, with a view to assisting both of you, and for the sake of brevity, so far as the Prosecution is concerned does the first count here cover the matter in substance, and are the other counts to a large extent of an alternative nature—because I should, for the sake of brevity and simplicity, think the proper count here is the first count. Is there any view you wish to express on that?

MR. ELAM: Yes, my Lord, speaking for the Prosecution and for my learned leader, as I think I can, the answer is "Yes"; because I think the others are putting the same thing in a different and alternative way. I am sure Mr. Maude would agree with that; otherwise I should not say it.

THE RECORDER: You are in charge of it now, and that is why you are here, Mr. Elam. That may assist you in your address to the jury, Mr. Loseby; that will help you to cut things out rather. Members of the jury, if you think that any kind of investigation is likely to assist you, and you express that view to me and think it likely to help you, I will consider the matter; but, unless you say to the contrary I shall take it you do not desire anything of the kind.

A JUROR: The general opinion, my Lord, is "No".

THE RECORDER: Thank you.

MR. MAUDE: I was told that we were asked whether the Witchcraft Act covered the matter. Count 2, to myself, appearing for the Crown, appeared to be important; that is under the Witchcraft Act, and it would be Counts 1 and 2 that I should ask your Lordship to leave to the jury. The reason why Count 2 is important is, I think, apparent.

THE RECORDER: Yes; they are substantially one.

MR. MAUDE: In a sense, except, of course, in regard to the conspiracy.

THE RECORDER: Yes, they go together.

MR. MAUDE: Counts 1 and 2.

THE RECORDER: Yes.

MR. LOSEBY: Yes, I understand. Members of the jury, I only wish to say that I want you to bear in mind, as I said in my opening, that this is more or less a technical point, because my learned friend has made it quite plain—and there is no doubt about it—that the issue in this case is that these four people are fraudulent impostors, that Mrs. Duncan is an impostor, and she has held herself out as a materialisation medium, that is to say, a person through whom the spirits of another world, that is to say, dead people, contact with this place and materialise, that is to say, make themselves visible, identifiable in some way or another. The other three, so my learned friends say, are frauds and impostors in essence in that, knowing that Mrs. Duncan in reality can do nothing of the kind, they held her out as being a person who is a materialisation medium.

To begin with, you have got to look at the precise wording of it. It would have been perfectly simple to have brought a charge which I should immediately have agreed covered the offence, because I am going to say—and I have said it from first to last; I call a spade a spade—there is no doubt of any kind that, on the evidence, Mr. Homer, Mrs. Homer and Mrs. Brown have held her out to be a materialisation medium; there is no doubt about that; but, as I have said, for some reason or another the Prosecution,

instead of using plain, simple and intelligible language under our Common Law, instead of saying she has been obtaining money by false pretences, in that, knowing she is not a materialisation medium, she has pretended that she is, or words to that effect—that would have been quite simple—they have said something quite different. That is material. They have said, going back to the Witchcraft Act of 1735, possibly for the purpose of making her ridiculous at the outset, possibly for the purpose of making her appear to be a ridiculous person from the outset, a kind of witch—we all dislike witches—that on divers days these people conspired together to exercise or use a kind of conjuration. Why this rigmarole of two hundred years ago, which did fit the case of people called witches? They have said that through the agency of Helen Duncan they conspired together to exercise or use a kind of conjuration.

What have they got to prove? They have got to prove something which I tell you they have made no attempt to prove, that she exercised or pretended to exercise or use a kind of conjuration. That involves a claim by her and those speaking for her that she could conjure up, bring them there. The evidence is that she called herself in the year 1944 a materialisation medium, and materialisation mediums are persons around whom a great deal of literature, scientific and otherwise, has been written. Amongst such people as Sir William Crookes, President of the Royal Society, the term "materialisation" conveys something. What does it convey? Not that you are bewitching, demanding the presence of persons there, but simply that you are a medium. The term "medium" explains itself; something used by somebody else, involving no effort on your part at all, nor conjuration, no effort upon your part at all, but simply and solely a claim that "I am a nobody; I am a totally uninspired person; I claim no inspiration of any kind; I simply say I am a kind of conduit-pipe; I am a medium, a person used by others than myself".

I would not take up your time on this technical point if I did not think it was a real point. I ask you to consider what is the evidence. The evidence is, is it not, a humble prayer, followed by the Lord's Prayer? I have not examined it, but what is the common sense of the whole thing? "Everybody here is in the presence of an important matter. Therefore, let us ask the blessing of God upon it. We ask by this humble prayer that we be not guilty of abusing it in any kind of way, but we try to understand the benefit given in much the same way that you say grace". If you like, it may be a kind of superstition—"Protect us from those evils"—something like that; we know nothing about it; we are very ignorant people—"Which are associated with evil spirits", if there be such things. If there is conjuration here, then every priest in the world would be guilty of conjuration, every time a Roman Catholic priest at his Mass is praying for the Communion of the Saints. Is there any evidence of any kind that these people have done other than that? The Communion of the Saints: that is what they are praying for. That is what they are hoping for. I am only dealing with the evidence as to what the term "materialisation" conveys. There were police present, and Mr. Worth was present, but my learned friend has not given a line or a word of evidence in regard to conjuration or anything other than, first of all, the simple, probably illiterate prayer, and then the Lord's Prayer. Is there any evidence of any kind that mediums have ever at any time held themselves out to be anything more than unimportant people, uninspired people? They do not claim to be inspired.

Therefore, members of the jury, it is my submission that the first thing you have to ask is really this: Is the Witchcraft Act of 1735 appropriate to this case at all? Even if every word said by Mr. Worth and others is applicable, have they at any time pretended to exercise or use a kind of conjuration, or have they merely done what I should have thought was

well known, adopted the common and ordinary practice of commencing with a humble, reverent, and simple prayer? We know the common or garden practice. Mr. Hannen Swaffer, my witness, went out of his way to say that the prayer is not an essential part of it at all. Perhaps it is not. Perhaps, upon the other hand, you may think it very wise—I do not put the prayer any higher than that—that when people are handling great things they do no harm in commencing with a prayer. When scientists are handling a great thing it would not hurt them to commence with a prayer. Perhaps it would be a good thing if people realised that there is no fundamental difference between the acts of God exhibited in one way or another, whether through science or in the churches. In the early days when the force of electricity was discovered which moved only the legs of a frog, what was it?—God showing Himself possibly in an unexpected way, but showing Himself again. That is the essence of my case. Strange as it may seem, totally unexpected as it may seem, what is it if it is not true—forgive me for using again the crude term of calling a spade a spade—God showing Himself in just an unexpected way, in humble surroundings amongst circumstances that the stupid might think ridiculous and impossible, and perhaps not by chance at this time in the history of the world?

But again to come to my point, is it accompanied by conjuration in the ordinary sense of the term? I say I must succeed *ab initio* on the technical point. I offered to amend. I will amend it now if my learned friend agrees to strengthen it; I will amend now and deprive myself of that point, because I want to stand or fall upon whether I am a fraud and whether I am an impostor or not.

So much for that purely—I have intended it to be so—technical point. I want you, members of the jury, to take any point in my favour that you think you can rightly take. Listen to my Lord. My Lord will tell you what facts have to be proved. My first point, then, is this, that even if this woman were a fraud—and I say she is not, on the wording—she still ought to go free. I have offered to take no technical points and my offers have been refused. Now I take every technical point. So much for that.

For the purpose of this case I am sure that I was right in my opening to tell you what I was going to do, that I was going to struggle all the time for a picture, but I wanted the right picture, and not a wrong picture, as to what was happening and did happen in Portsmouth in January, 1944. My learned friend did give you a picture, a skilful picture, with all his great skill, and completely fairly; but it was an odious picture from which you would probably have presumed fraud if it had not been corrected. I have corrected it now. I have had but little to do with it, but through my witnesses, who have come from every part of the country, and to whom I, at any rate, have a deep sense of gratitude, and I think you will have that too, members of the jury, I suggest that the true picture is a different one. We have got it on the evidence that at the end of 1943 two people were contemplating a visit to Portsmouth. One is Lord Dowding, Air Marshal of England, lately in command of the Force that fought the Battle of England. He goes to Portsmouth on a certain specific very important matter, not to create a public mischief: he goes as Air Marshal of England, and whether he is right or whether he is wrong, brave man as he is, he is risking ridicule at the hands of the general public, and more particularly the ignorant section of the public who may not understand the full implication of what he is going to say at a large and crowded meeting. What is he going to say to his own boys? "There is no such thing as death".

THE RECORDER: We have had no evidence of what Lord Dowding said. There was one reference to his having been to Portsmouth by one witness only.

MR. LOSEBY: My Lord, I put it—

THE RECORDER: That was the only evidence we had about him, as far as I can recollect.

MR. LOSEBY: I put it to two witnesses, my Lord.

THE RECORDER: Two witnesses?

MR. LOSEBY: Yes, my Lord, the witness Worth and the witness Gill.

THE RECORDER: Yes.

MR. LOSEBY: Mr. Gill said——

THE RECORDER: Neither of them could tell us what Lord Dowding had said, and it would not have been admissible if they had attempted to.

MR. LOSEBY: Gill, my Lord, if I remember aright, used these words—and I was going to bring Gill in—"I have a wife who is a Spiritualist, but I thought it all hooey"——

THE RECORDER: Yes, until Lord Dowding——

MR. LOSEBY: Then, my Lord, "I go and hear Lord Dowding, and I am impressed".

THE RECORDER: Yes.

MR. LOSEBY: Then, my Lord, "I go and see Mrs. Duncan, and it becomes 100 per cent."

THE RECORDER: I quite agree; but he did not attempt to tell us, nor is it in his evidence, what Lord Dowding said. You were about to tell the jury what Lord Dowding said. It may be in your instructions, but it is not in evidence. I am only reminding you of that because one is apt sometimes to be carried away.

MR. LOSEBY: My Lord, I am so anxious to confine—— •

THE RECORDER: Yes.

MR. LOSEBY: I will end about Lord Dowding, members of the jury, but I am going to ask you to draw the picture of three other people, Mr. and Mrs. Gill and a woman called Nurse Rust, living in Portsmouth. I have spoken of Lord Dowding and what he may have been trying to do. There was another one, a Scot with a Scotch accent, who we can imply from what the witness said has been very busy. We have heard two witnesses who have sat with her a hundred times; we have heard two others who have sat with her fifty times—there were never less than ten at a sitting—who have been investigators, and who appear to be totally unshaken and enthusiastic. They have been streaming into that box for a week—that type of person who has observed this same Helen Duncan and the queer things that happened. I think you can visualise from it Helen Duncan, a sought-after person for a period of time, but Helen Duncan to whom these curious things are happening is also—or you may come to the conclusion—a canny Scot. Scots people are accused of being canny, and you can visualise Helen Duncan—and I am not going to try to escape from it—in that Scotch commonplace way saying to herself, "I am a medium. It is all very well in a degenerating world, but it is not much fun for me. I am very glad to hear that this help is being given through me. I have a family. I risk my life every time I do it". I am only giving you something imaginary going through her mind.. "The labourer is worthy of his hire. The history of this whole business makes me know"—this is purely imaginary—"that I may be attacked at any moment. Suppose I am charged with fraud, what chance have I got? These apparently impossible things are being done. What chance have I got if, when I am in trance, I am attacked? Doctors tell me that, if I am attacked, it is serious", and, she being apt to take a rather Scotch view of things—this is the other Helen Duncan—says "I am going to charge a fee", and she charged a fee. It may be totally wrong, but she charged a fee which we know about, which varied, I think, between £7 and £9—the highest has been £9—a sitting. There it is. Isn't that something like a part of the picture, and an important picture? There, then, is Helen Duncan contemplating a visit

to Portsmouth, which has been stirred up, as one can imagine, and is greatly interested in her, through Mr. Gill.

Then there are three other people. There are Mr. and Mrs. Homer, Mrs. Homer being a person—whether she is right or wrong, you will visualise her as a person very interested in her little place above a druggist's shop (a place which they not only call a Spiritualist Church but is a Spiritualistic Church), and with something of a gift for raising money for charities, and she contracts with Mrs. Duncan to come down. It may be totally and absolutely out of place. Then we know Mrs. Brown. All we know of her is that she comes down there, Mrs. Duncan being somewhat ill at the time, to keep Mrs. Duncan company, as she comes from the North. You can visualise this, whether it is right or whether it is wrong, this is my picture—that the connection between the Homers and Mrs. Duncan is a slight one. Mrs. Duncan is giving her sittings as well as she can at a fee, and the Homers are prepared for Helen Duncan to come down. That is all I want to say about that, except I think it important to ask you to do your best to cut prejudice in the matter right out of your mind. I am not defending—I have got nothing to do with it—Helen Duncan charging a fee of eight pounds or eight pennies. I am not charged with that. I only say it is understandable. I do realise that when you get what may be a totally exceptional week in Portsmouth there are dangers attached to it; more particularly a person is liable to be charged with fraud by any busybody or any duffer who is totally ignorant; but she is not charged with that, and the Homers are not charged with that. It may be totally wrong for mediumship to be a whole-time job at all; it may be entirely desirable for changes to be made there; but there is no charge in regard to that. It is my submission that, if there were any charge to be made, you could be certain the charge would be made. Mrs. Duncan is not charged with sitting too frequently, and the Homers are not charged with being either incompetent or foolish. As far as materialisation mediums are concerned—I present it to myself—they are both incompetent and foolish. Mr. Homer was asked questions as though he were an expert on the subject. Patently, obviously, he is no expert. I should have thought it was the most dreadful exhibition of incompetence that has been given both by Mr. Homer and Mrs. Homer in this matter—I will present that to my learned friend—but they are not charged with it. They held materialisation sittings when well over twenty people were present, thus inviting the very thing that has happened, because certain people would not be able to see it all, and would therefore presume fraud—a dreadful exhibition of both incompetence and folly to be charged 12s. 6d., both incompetent and foolish, but they are not charged with that. Had they been charged with anything I would have dealt with it, but I have got enough to do without going into that point, matters which are entirely matters of prejudice. Mrs. Brown is not charged with being over-garrulous. If she were, I should have pleaded guilty immediately. Mrs. Homer is not charged with saying certain foolish things; if she were, I should plead guilty immediately. I am not charged with any of those things. In my submission, these are matters of prejudice only.

Everything is set for the sitting of January 14th. Prior to it, evidence has been given by the one vital witness for the prosecution and, in my submission, they have only got one, and he can be easily disposed of. That is Mr. Worth. I ask you to keep your minds on Mr. Worth. I cross-examined Mr. Worth about himself. You may or may not think that his answers carried conviction. I asked him if it were true that he was being discussed in Oxford before Mrs. Duncan ever went to Portsmouth, before he had ever clapped eyes upon her, as to whether his name had been bruited abroad in Oxford round about January 3rd by someone connected

with people giving evidence in this case of the name of Lock. If it had been true, members of the jury, he would not have been a totally impartial witness as to what happened on January 14th. You may have thought, or you may not have thought, that his answers in regard to it carried complete conviction. You may think not. I will leave it at that. I put the questions to him. You may think, or you may not think, that his answers carried conviction. You may think, or you may not think, that Mr. Worth is a totally frank and open person. Anyway, I admit he is an important person. His evidence is that Mrs. Homer used certain words to him about Mrs. Duncan coming down, and he suggests that Mrs. Homer told him that Mrs. Duncan was a very important person, that she was a materialisation medium—I think this fairly sums it up—of great interest and importance, and, according to Mr. Worth, she used certain rather ridiculous terms of “puffing”. Mrs. Homer is the person who gets up shows (if you can call them shows) for charity, and speaks of something called ectoplasm; she talks about ectoplasm and connects up ectoplasm with Mrs. Duncan, and in regard to ectoplasm and the use of it makes certain assertions, some of which you may think are ridiculous. They may or may not have been ridiculous; I do not know; I only know that they sound to me, if they were ever said at all—and I do not admit that a single word said by the witness Worth is necessarily true—as being slightly ridiculous; but they are of no importance, because I freely agree, when Worth says that Mrs. Homer told him and on other occasions Mrs. Brown told him that Mrs. Duncan was a materialisation medium and that through her certain vital things happened, even if they went into some detail and said there is a thing called ectoplasm connected up with her. I agree with that. I think you can accept it that the major thing was said. If they said it, knowing in reality that Mrs. Duncan was nothing more nor less than a common or garden fraud, not only without great gifts but without any gifts, then you will probably think they must have known about it. The assertions are of importance. They said the major thing. That is the only thing that matters.

Let me quite quickly dispose of another matter, because I am only going to interest myself in the main with incidental matters. Mrs. Brown (I should have thought quite unnecessarily, because, if my witnesses are believed, the reputation of Mrs. Duncan is quite sufficiently known) showed some photographs and said, “These are photographs which have been obtained through the mediumship of Mrs. Duncan”. Quite patently, Mrs. Duncan is an important person. Mrs. Brown is “puffing” Mrs. Duncan. If Mrs. Brown had minded her own business it would have been a very good thing, but she did not; but she is not charged with not minding her own business.

There is a great deal of literature in regard to this matter that I am entitled to believe you know something about. We do not say, and we cannot say, more than that the photographs appear to have been taken by an amateur. They do, on the face of them, look like photographs that might be, if you take into account their age and everything else, what are called spirit photographs: that is, photographs with extras on them. My witnesses have been completely frank on the subject. It comes to this: they might be photographs that are called spirit photographs taken through the mediumship of Mrs. Duncan, but it is quite impossible for us to say that they were, or for anybody else to say that they were. It might very well be that Mrs. Brown thought they were. Mrs. Duncan thought they were, because Mrs. Duncan could rely on hearsay, and hearsay only. Quite obviously, if anybody wanted to fake a photograph of her, they could go to her and say, “Look at this, Mrs. Duncan; this is a photograph which was taken through you”, when in reality he has faked the whole thing,

and Mrs. Duncan would say, "How really wonderful! Were these really taken through me?", and they might be exhibiting them, and they might be totally wrong. I can simply say on that matter that there is no reason of any kind to suspect that they were not genuinely what are called psychic photographs. Upon the other hand, I am totally unable to prove that they were genuine psychic photographs, because I could not do it unless I had in court the person who had actually taken the photographs, who described the circumstances under which they were taken, and said, "I had those plates in my possession at a time when the photographs were taken; I was present the whole of the time whilst they were being developed; there was nothing to account for these extra figures that have been shown upon them, and therefore the reasonable presumption is that they are what are called extras". If I had started going into the whole question of spirit photography I might have kept you here for another week, so I refrained, and I am going to leave it at that. There is nothing on the subject either way. Of course, it is important. By the bye, evidence has been given that they were shown by Mrs. Brown, and evidence has been given that what are called psychic photographs sometimes give the appearance of being faked, although in reality they have not been faked—that is to say, something supernatural—and I cannot, and do not want to, put the matter higher than that. So much for the incident of Mrs. Brown and the psychic photographs.

Now we come to the seance on the 14th, when Mr. Worth and the doctor both attended. Some play has been made—my learned friend has not got very much to play with—on the changing of the seat between Worth and the doctor, and it was said that a mistake arose because Mrs. Duncan was out to perpetrate a blatant fraud, was intending to produce materialisations for the doctor; but the seats were changed, and so they all went wrong. I have only got one comment to make upon that, members of the jury, and it is this. It is my submission that that is altogether too far-fetched to found a charge of fraud upon, or even as an incident; it involves deep thinking on the part of Mrs. Duncan, which you may think is totally and absolutely ridiculous, for the purpose of giving materialisations to the doctor, not Mr. Worth at all, by something that is elaborate, altogether too elaborate to sound likely, and, in the light of the other evidence I have called, totally ridiculous; but it is just one of those incidents upon which this case is built up. Mrs. Homer makes a remark about a torch in the early days. That is plain innuendo, and one of those touches upon which the prosecution have got to rely, fatal in a charge of fraud. The innuendo is, of course, "It is all nonsense about torches. The real thing is"—this is the innuendo—"they did not want light because light would have exposed the fraud". But they are totally overlooking one vital thing; there is a light the whole time. It is not a good light, in that, if you are examining anything for a scientific purpose and you want something like a microscopic examination, you have got to get as close to a person as within a foot or two if you want to be able to identify birthmarks and suchlike matters; but it is a reasonable light. It is a dim light, it is true, but it is still a light. It is not total darkness, nor anything like it. The remark about the torch is plain innuendo. The evidence has been given with that kind of innuendo which ought not to have been made. If Mrs. Homer has got any sense of decency about her at all, and if Mrs. Brown has got any sense of decency about her at all, they will take reasonable steps to protect the physical being of Mrs. Duncan. Evidence has been given in this case that, by reason of the neglect of that particular precaution, one of the few materialisation mediums in this country was lost, so it is said, because someone was blinded. Evidence has been given that there is an immediate physical reaction of a more or less serious nature if a white light is flashed on for

a very short period of time. That is our evidence, and therefore no such innuendo ought to be drawn, if you thought of drawing it because Mrs. Homer warned them about the torches. Indeed, it is an illustration of the totally flimsy nature of the prosecution's case. This all the picture of Mr. Worth; he repeats it over and over again. At the seances Mrs. Homer and Mrs. Brown are prompters. Really and honestly, all my witnesses are, you see, of the same kind and type; they are people in a kind of trance and susceptible to suggestion, and Mrs. Homer and Mrs. Brown—this is a suggestion—are helping that state of affairs by suggesting something to the minds of the sitters. It is all a part of the fraud.

That disposes of my case, but, members of the jury, if you look at the actual things that they are alleged to have said—and this is important—you will see that it fits in with what my experts say has to be done if you are going to get the best results: that there has to be something in the nature of co-operation, merely for the purpose of getting better results, between the sitters and Albert; and it is, or may be, necessary to tell the sitters actually at the time certain very common sense things. They are all matters of courtesy, because there is nothing mysterious about this business, and, if you will examine even what Mrs. Homer, and, indeed, Mrs. Brown, have said when they have said, "Speak up. Ask them to come out", and so on, and so forth, it is a perfectly right and a perfectly proper co-operation, not an insisting to the other sitters, "Don't be such duffers. Ask them to come out". I think you will find there is not a line or word actually when the sittings are on alleged against either Mrs. Homer or Mrs. Brown which did not fit in with the common sense of the business. What is it? Not that Mrs. Homer knows much about it, or Mrs. Brown knows much about it; but they happen to have sat before—that is all—and, as they have sat before, the people there for the first time are told what to do if they want to get results. Even if they have said something wrong, in my submission it is a matter of prejudice, and prejudice only, and there is really nothing at all for people who know anything about this particular kind and type of phenomena to suggest even from any remark alleged to have been made that there is anything in the nature of conspiracy or assistance being given by those two people. It is completely ridiculous in the light of the evidence given by my witnesses. It is certainly not anything upon which a charge of fraud ought to be brought by a responsible person. It is just a matter of prejudice, and I am not using the term offensively. If you attach any importance to this alleged prompting between Mrs. Homer and Mrs. Brown, I do ask you to be reminded about the exact words used. I suggest to you that there is no suspicion of any kind on the evidence as it has been given that ought to be attached to those remarks made at the sitting, even if they have been stressed possibly a little unduly by Mr. Worth, who has laid himself out to paint a picture, as I suggest, from beginning to end. Those are minor matters, but I dare not disregard them.

Then comes the vital incident, and it is an incident of importance. To Worth comes a figure; he is told someone has come for him; it is made plain that there is somebody who wishes to speak to him, and he—I am not going to make my point a second time on this—says, "Are you my aunt?" and she says, "Yes". Of course, it would be important if it were completely true, because it might represent one total failure; it might represent something requiring explanation. There might be a hundred and one explanations, even if it was true as Worth tells it; there might be a hundred and one explanations. You could say, "Albert, I don't understand" so and so, and so and so; and Albert would say, "Of course you don't understand it. This is the silly thing you did; this is the silly mistake you made", etc., etc.; but it is an incident, if what Worth said were true, which requires explanation. It is totally uncorroborated. The doctor

was sitting next to him, but you observed that with some care—and I should have done just the same thing had I been counsel for the Prosecution—the doctor was asked no question about that. The doctor did not corroborate it; he was asked no question about it. I do not think he was asked any question on any material point, was he? He looked very nice, and he was obviously a very charming person, but did the doctor, the Royal Naval officer, corroborate Mr. Worth on anything that mattered at all? He was asked no question. It is very important because, if that goes, there is nothing left in the case for the Prosecution. Of every witness who was called there is not one solitary witness who corroborates him—not one. Several witnesses have been called to say, “We remember the incident. She did not say, ‘I am your aunt’, but she did say something about acting strangely”. If Worth was the person I am presenting him to you to be, he would be acting strangely. If the person was not his aunt, and he merely said it for the purpose of baffling Albert, as he said, he would be acting strangely. He was acting strangely, if his story is true. Anyway, he is not corroborated by one solitary person, and the Prosecution will not have overlooked that they have got a very flimsy case at the best. Anyway, there is no corroboration for it of any kind.

Then he said, “My uncle came through and very ridiculously saluted me”. Why is that put in? Because Mr. Worth wants to make it ridiculous; and it is utterly false. Nobody came through who was his uncle or claimed to be his uncle. It is like the story of the stork that barked—put in to make it more difficult. When Worth committed himself to that story he took his opponents to be born fools, and he failed to realise that what he said could be checked up.

Worth had called the attention of the people in the audience by his manner, and so they watched him. I ask you to note as a matter of importance, if you believe my witnesses—and Spiritualists are sometimes honest people—that they say the saluting incident was a sailor in uniform, not an uncle at all, and “I know no sailors”, or some stupid words like that, and then a rebuke from Albert. The story could not have been invented except by wicked people, and I am going to ask you to say that, as far as you have been able to judge, I have not called one witness throughout the week who has not given you the impression that he was trying to tell the truth. Do you think that my witnesses came here because they had been coached by somebody, or do you think that they are people—over-enthusiastic people, if you like, and credulous—who would tell you a deliberate lie? Do you think they have invented that story of the sailor? If the story of the sailor is true, the other is untrue; and there is not one of the many witnesses who has not told you plainly and clearly that incident No. 2 was: the story of the sailor, “I know no sailor”, and then the rebuke. Have they invented the fact that Albert went out of his way to (if I may use the term) snub Mr. Worth? It would be very wicked, it would be very wrong, because nobody could have overlooked, I should have thought, the importance of the issue involved there.

Then comes incident No. 3, and this is vital. He is told that there is a sister for him. You will have noticed, strange as it may seem, the evidence that this is a fairly frequent occurrence of someone supposed to be alive who has really never seen life in this world at all. It is one of the difficulties of the matter. Here you can check up upon Worth. He goes and admits that he had told Mrs. Homer that he rang up his mother that night and asked her if he had got a sister prematurely born; he rang her up because he was so excited about it, and his mother told him that he had got a sister prematurely born. He went out of his way to tell Mrs. Homer that that had happened. If it had never happened at all, then he is a deliberate liar; and he said it never did happen. I beg your pardon;

"I did tell Mrs. Homer that, but it was a lie". He admits, in other words, that he is a man who lies when it suits his purpose. I do not say any more than that. He is on this point convicted of lying. Then he is asked by me, to assist my Lord and to assist you, why did he do it? And he says, not once, but I think three times—certainly more than once—"I did it on the instructions of the police", and he did it quite deliberately in that convincing tone of his that was so striking. If he did not do it on the instructions of the police, if he said that at all, he is saying that for the purpose of your minds; and his answer was instantaneous and repeated. If it is not true, he is putting something constructive into it; he is suggesting an approach to him by the police and being told to do something. If it is not true, it is a deliberate lie, and you may presume it was told for the purpose of deceiving—whom?—not me; I don't matter; nobody cares what I think—my Lord and you; it is a deliberate lie told for the purpose of misleading my Lord and impressing your minds. "What I said to Mr. Homer is not a very important matter, because it was said on the instructions of the police for the purpose of putting Mr. Homer upon the wrong track". Something happened in between that and the following day. He puts it right, you may think, because he has got to do so. He said he did not do it on the instructions of the police but for some other reason. The importance is twofold: I say that there are further lies, and further complete lies, involved. It does not ring true. He told Mr. Homer because in an impulsive moment he had rung his mother up and his mother had told him that he got a sister prematurely born. There is no point of any kind, in my submission, for him going out of his way to tell that deliberate lie to Mr. Homer. My submission to you is—I cannot do more than this—that it was probably true. I suggest that it convicts him of a careless, reckless lie when he has an object, and his object was your minds that he has gone for assiduously; and that on his own admission he is a man who does not attach undue importance to statements made on oath, on his own showing and admission. I do not want to put it too high, but I think I can put it as high as that.

Now, as far as the 15th is concerned, he made a great slip in the court below which allowed me to ask if he said it, and this is what the facts were. He referred to Peggy. He admits that the child Peggy comes out and goes back to the cabinet, and something happens that, whatever else it was, could not possibly have been Mrs. Duncan, because a child form comes right outside the cabinet and, having come out, goes back. That is the only slip made by Mr. Worth from beginning to end, and he corrects it, reckless person that he is, when it is too late, by saying that Peggy was a bulky form. What did he mean by that? That Peggy also was Mrs. Duncan? Members of the jury, do you want to hear another word about Worth? What does he say? "She was a bulky form". I have got no doubt about this, because Peggy had appeared a hundred times, and she has always been a slim figure. Worth says deliberately she came out on this occasion and she was a bulky figure. Why does he say that? Because he does not care about anything, whether it is true or whether it is false, as long as he can get Mrs. Duncan convicted. Is it true? If it is not true, why does he say it? Do you think that Peggy was a bulky figure? What do you think of a man, seeing these people standing there in (if I may use the phrase) their agony, and who lies? For what purpose does he lie? To secure their conviction, although he knows at the time that he is using the words that they are untrue. So much for Mrs. Duncan and her apparent capacity for impersonating Peggy. We shall find them later in another difficulty, struggling to suggest that Mrs. Duncan also impersonated a baby, a toddler on the floor.

Members of the jury, I have to deal with other matters of prejudice, one

very, very great one. The witnesses all seem to agree that a young man showed himself in a mutilated form, a painful scene, and you may very well say and you may very well think, "We cannot believe that that can be correct, because it is distressing, and we cannot believe that such a distressing thing could have happened". I want to deal with it quite quickly and quite shortly. Will you be good enough to bear in mind always my evidence from beginning to end that the point of these seances, materialisations, is evidence, and evidence only—nothing else—of continuity of life, that there is no such thing as death? If that were done—and I ask you to think of some reason or another that I do not know of in that particular case—the method of identification was better given that way; and the person receiving it got as a preliminary, "I am still alive", impliedly alive and happy, "Just for a moment I am sad; that was my last condition; only for a few seconds. I am alive"—that is the first thing—"I am alive, not mutilated, and happy for a few seconds, and for a few seconds only. I see you just for a fragment of time. They did not kill me at all. I am alive, and I am come to talk to you, and I can show myself to you". It is a matter of prejudice which might make a wrong impression upon your mind.

Another matter of prejudice. Animals appear. My learned friend will do his utmost to suggest that that of itself shows that it was blatant, that fraud should be presumed because in any of our philosophies, which are probably well-founded in science, we have not heard of animals re-appearing. Everything else is consistent, is it not, with the ancient philosophies; but animals! Well, members of the jury, the answer is only this. Why, we do not know. Does it involve this, and that, and that? We do not know. The dog barked. Do dogs go on barking? We do not know. We do our best from beginning to end to behave in a purely scientific manner; we observe facts as well as we can. We merely say it was so; that is all. It is quite true we have got to swallow the dog. I do not want the dog, and I do not want the parrot. Some people say that you can destroy materialisation phenomena altogether. If you are going to condemn it on that, and if from that you must draw a presumption of fraud, you must; but you have got to go on to say that all materialisations are fraud, because it is in the history of the whole thing. Do not be in too much of a hurry to draw a conclusion from that. Have you observed that the parrot was white? I think I am right. Had it been a crude fraud—put yourself in the position of Mrs. Duncan—would you not have taken the trouble of thinking that parrot out, and would you not have had a stock parrot? Would you not carry the stock parrot about with you in your bag or in your caravan—because she must have a caravan to carry her apparatus about with her. The parrot is white. Would you not get it of the right colour? There is possibly nothing in that. It was white because I would suggest it was the only possible way of materialising it to give the semblance of it, whatever it may be, at that particular sitting. The helmet? "Completely ridiculous, because if a policeman appeared he would not give us all the by-play with his helmet". I can only say, members of the jury, that it fits in exactly with all the evidence of materialisation. What is the point always—merely to give evidence in the most effective way. Ridiculous as it may seem, these people joke, and if they can make their identification quicker by means of a joke—they have only got about a minute—they will do it that way. "I have forgotten my helmet". He had not forgotten his helmet at all—I am only guessing—he wanted to call her attention to the fact that he had got another way of identifying himself, namely, by an Indian police helmet; and the point is, Mrs. Duncan would not be likely to know. "I not only produce a helmet, but an Indian helmet, and it will make the greater impression upon your mind". If you

follow those identifications through, I ask you to note that there seems to be a master-mind behind them, the point always being the same, some kind of identification from which there can be no escape, and some kind of protection for the medium, because in the event of her being charged as an impostor, matters can be produced to show that an impostor could not have done this, and an impostor would not have been likely to have thought out this detail and that detail.

Now another matter—and I think this is the greatest difficulty that I have got in the case from beginning to end—is Jarvis. I do not overlook Jarvis, and I am not going to avoid any difficulty. Jarvis in those surroundings used a word that to many people is objectionable—many people. It is the kind of word that you would not expect to be used upon such an occasion as this. Jarvis is a man with a Yorkshire accent. There are people, are there not, who are abrupt, uncouth, unpleasant, sometimes foul-mouthed, and yet they are good people, and their very uncouthness is their most distinctive feature? The real things that matter about them are themselves and, if they came back without their uncouthness, you simply would not recognise them. You have heard about Dr. Johnson's phrase of a term of endearment commonly used amongst sailors: to identify yourself amongst sailors you use a certain word or a certain term which is less objectionable, or may be. It is not what you say, but what you mean and how you are understood. I cannot explain it. I find it difficult to explain it. I only say and agree it happened. The only explanation of it—and I am only guessing; it is a quite unusual incident, I agree—is that the person wishing to identify himself did not use King's English as it is commonly used, but spoke in a Yorkshire dialect, and the fact that certain words are objectionable to certain ears had never impressed itself upon his mind. Anyway, there it was, and in regard to that I ask you to bear in mind only this, that it is a question of evidence.

You have got the picture given by Worth, and it is my submission* to you that, if you agree with me that the fundamental purpose is seeing well, then there is nothing in the case for the Prosecution to date; there is not a word or a line there. If you had twelve experienced psychic investigators—this is my respectful submission—not one would stand out and say there is evidence there upon which a charge of fraud can be sustained. I put it as high as that, and I put it deliberately. That is the stage, in my submission, when Worth leaves the box. But add this to it; add Mr. Mackie. His mother comes; he has not seen her once; he has seen her before—the appearance, the voice. Peggy, the slim child, comes through. Imagine Ruth Draper trying to produce this, imagine the greatest living actress of impression dealing with Portsmouth only, the one vital occasion; imagine the greatest actress in the world with a sheet only in her hand impersonating this. You have got Jarvis with his Yorkshire accent; Shirley, the baby, spoken of by two, coming right up to the curtain, talking in a baby voice—the theory for the Prosecution being only one thing, Mrs. Duncan with a towel over her head—Mrs. Sullivan's mother; Mr. Barnes senior; the grandmother singing in a foreign language; Albert and Mrs. Duncan being seen separate and apart; Mrs. Duncan and Jarvis, the man being separate and apart.

Before I take you all over England and a part of Scotland for my witness, before I take a certain witness who was not actually present on the 14th, it is my submission that the case for the Prosecution goes down like a pack of cards; there is nothing left of it. Need I labour the point that it is altogether too far-fetched, so anxious are we in a matter of this magnitude to see fraud? Take the one case only, the baby, the baby voice deceiving the grandmother, going straight off to the dour Scotsman, Mr. Mackie, the investigator; and then having the audacity, she being a woman of

eighteen stone or more, to impersonate Peggy, the child, seen, if my witnesses are correct, hundreds of times.

Take it a step further. On the 17th we are suddenly surprised. We are deserted by our friend, and we have to defend this case. Mrs. Rust said that her father and mother both embraced her, and Nurse Rust noticed two separate birthmarks on her mother's face. The aunt comes through—this is Portsmouth. The aunt in a replica of the mother. What does she do? She speaks to her in Gibraltese Spanish. Do you appreciate what that means, members of the jury, quite apart from the fact that she notices that the aunt is a replica of the mother but has not got the mother's birthmarks on her face? Do you realise the repercussions now? We not only get her, if it be Mrs. Duncan, speaking in foreign languages, such as Spanish, but, if occasion demands it, she can speak in the particular dialect of the foreign language which is appropriate to the occasion. Is she in league with Nurse Rust, or is Nurse Rust deliberately going out of her way to tell you details that she has invented? Nurse Rust alone, if you believe her, destroys, and destroys *in toto*, so that it cannot be remedied, the case for the Prosecution. That is my submission in regard to that.

If Nurse Rust were not corroborated, you might find it difficult to believe it at all; but we find that that is consistent with the evidence given by my witnesses coming from all over the country, that the voice and language corroborate the individual. Would you be so good, members of the jury, as to put yourselves in the position of Mrs. Duncan, and try to realise all the implications of that? Did I have one single witness who was broken down in cross-examination upon that point, or who failed? How many things have you heard? It is not only the question of the language; it is the dialect; a dialect of a foreign language has got to corroborate the appearance, and there are people who foolishly and unthinkingly, like that foolish woman, the actress, suggest it would be quite easy to simulate that. Imagine you were told you had got to do it, you being the greatest living actor; you, moving quickly from place to place, have got to be prepared in that place not only to simulate relations, and that kind of thing, but to complete the identification, so that a father, mother, brother, or sister is totally deceived. You have got to be a master of languages, and you have got to use the particular dialect of a language which was commonly used by that person. That is the case, and that is the importance of the case, of Nurse Rust.

That brings me to the term "Spiritualist". My learned friend cross-examined all my witnesses one after the other, and, if I may say so respectfully, with complete skill. I envied him. He always asked, "Are you a Spiritualist?" I have called many Spiritualists before you. May I ask you who and what a Spiritualist is? Is it, for example, a person careless of truth? Did they strike you—I have been calling them for a week—as people careless of truth, or were they rather shrewd people, rather careful of their detail? Did they give you the impression of people who had become accustomed, not just to talk of general impressions, but to see whether the appearance is corroborated by the voice? How many times in this case have I given you detail, shrewdly observed, which is final? Bear in mind, members of the jury, that, if you believe one isolated case, then I have proved the case; if one person supposed to be dead but not dead has at any time come through Mrs. Duncan—and I have alleged, if you add up the other cases, thousands—one solitary case proves my case.

Spiritualists? What have they done? It is fashionable to speak of these people as though they were a race apart. What have they done? Only this, members of the jury, is it not? They simply say: "We believe, as part of our religion generally, something which we regard as a hard scientific fact."

THE RECORDER: Mr. Loseby, would it assist you to remember that this Prosecution involves no attack upon Spiritualists as Spiritualists? That has been made abundantly plain. I am only thinking of the passage of time.

MR. LOSEBY: My Lord, I was going to make it, if your Lordship will forgive me.

THE RECORDER: I say no more, Mr. Loseby. Do not waste time by replying. I merely remind you of the passage of time and of the undesirability of this case being thrown over till Monday.

MR. LOSEBY: My Lord, I am in—— I would scrap my whole speech if I could——

THE RECORDER: There is no need to do that, but there is no need to deal with matters which are not involved in this case. There is no attack, and, indeed, quite the contrary has been indicated.

MR. LOSEBY: Yes, my Lord, but my learned friend did ask that question of every witness. Members of the jury, I am certainly not daring to leave any point which may impress your minds adversely. I know I am going on too long. I am sorry, but I cannot help it.

The decision come to was to catch Mrs. Duncan red-handed. In my submission, it was a monstrous decision. In my submission, there was nothing to found it on except a statement unchecked by one individual. Anyway, that was the decision. Mrs. Duncan is going to be caught red-handed on the 19th. If she is caught red-handed, then that is the end of the matter, and if she is not caught red-handed, then the corollary is equally true; if there is not anything there to explain what was done, then it is patently obvious that the observation on the 14th cannot be explained at all in the absence of such explanation as is given by Mrs. Duncan; the people are who they say they are, unless some explanation can be found; and there is an attack, and there is a search, and nothing is found, nothing at all. There is some suggestion of a sheet. There was no sheet. If there had been a sheet, the explanation would be equally ridiculous. You cannot make the birthmarks on Mrs. Rust's mother's face with a sheet; you cannot say, "I saw people with a sheet"; you cannot imitate the voice of a baby with a sheet. There was no sheet, if the evidence of the Defence is correct. It is quite possible that by reason of the white—and that is the only reason why ectoplasm has been introduced into this case at all—Worth over-persuaded himself that there was some kind of sheet. Anyway, a search is made, and it is made abundantly clear that there was no sheet then or at any time; so you fall back again on that, and again that is completely disposed of. If Cross had found Mrs. Duncan standing, that again would not have been totally amazing. If you are making an attack of this kind, anything may follow. What did he say? I am hurrying as fast as I can. She was standing for sixty seconds. She had to be standing for sixty seconds if this case is fundamentally true. Everybody else called, people who paid their money, say, "Nothing of the kind; she was not standing there for five seconds; she was not standing at all. We had our torches upon her. She did not put her shoes on furtively or at all". Somehow or other she is in her chair, and seen in her chair, with Cross sprawling over her, and then somehow or other she is bundled outside and found on a chair. Something has to be said and something has to be done, because they have no case left. There is no case left.

Members of the jury, I would like to elaborate my detail on that point, but I must not. I ask you to note the statement made by Cross—I attach great importance to it and I ask you to consider it—who said, not once but several times, that Mrs. Duncan was standing for sixty seconds, and it was said quite deliberately. The only thing that is left is the allegation of the sheet. In the absence of the sheet, where is it? It is fundamentally plain that Cross is so inaccurate in his evidence, whatever the reason for it may be, that we cannot accept his evidence on that one vital point.

Then, members of the jury, there was the offer I made. This woman has said through me, "There is a test to see if my story is correct". I only refer to this because my Lord said that I might, or he thought that I could.

THE RECORDER: Not so far as the jury are concerned. You made a submission to me, and I dealt with it, and you heard what the jury said this morning about it, that they had no desire for it.

MR. LOSEBY: Yes, my Lord.

THE RECORDER: I should have thought that was an end of the matter.

MR. LOSEBY: My Lord, I am not criticising it at all. I am merely commenting upon this. This was all I was going to say, my Lord, that this woman through me offered to subject herself to a test which at the time I described as "the acid test"; I do not want to use words meaninglessly; I used the words "the acid test". She offered to subject herself to an acid test, and at some little length I went out of my way to say that if her contention were true, other things then followed. I used the words "the acid test". I offered to subject her to the acid test. It is quite true that I went on to say that it would not necessarily be final.

That gets me away from Portsmouth. The testing of a materialisation medium, members of the jury, with finality in the year 1944 is not a matter of difficulty. There is no excuse of any kind for throwing out ill-founded charges of fraud, just as there is no excuse in the year 1944 for being completely ignorant and completely ill-informed. A materialisation medium can be checked and proved, and scientifically proved; and in the absence of the important acid test I have still proved it—such is my submission—but I do not prove it with complete finality through Portsmouth and Portsmouth alone. I could not, and I could not do it under a week, because of the present state, possibly, of public opinion on the subject.

I will sum it all up by respectfully submitting to you that there is no escape of any kind from the evidence I have called. I say that in the light of the evidence called by the Prosecution; and I had hoped that you might and would say, in the light of the evidence, "We can go no further." A materialisation medium can be proved, and I, on the part of the Defence, have proved my case. The onus is upon the Prosecution. I deliberately took it upon myself and said, "Let us reverse it. We are accustomed to it the other way round, but let us reverse it; and I will prove it". I have called many witnesses, and you may think I could have called hundreds, an endless stream of people, who might have kept you here for a fortnight, saying what?—that there is no doubt of any kind under circumstances where fraud was totally impossible: "My father, my brother, my sister, people of all sizes and shapes have appeared"—witnesses of all kinds and types, languages of all kinds and types—a very simple explanation.

Let me say only this—again I return to it—"I do not profess to explain it. Why should I? It is not for me. I do not say I am inspired. I never have said I was inspired. I merely say I am used by forces that I do not profess to understand. My name speaks for itself. I am a medium. I am prepared to demonstrate it to anyone who challenges it at the risk of being misrepresented by the ignorant and the odious. I have people who have seen me. I have been under investigation, not once, according to my evidence, but it runs into thousands of times. My people who pay for coming, and who pay considerably for coming, and who have an interest in exposing fraud, come and say, 'I have paid; I have paid every time; I have had sittings as many as a hundred times; not only have I observed perpetual and continuous identifications, but I myself have had identifications to which I swear.'" That has been my evidence.

I confine myself, and I have confined myself throughout, and I wanted to do it still more, to details of identification, lest it should be said against

me when the shorthand note is read, "But there is room for misunderstanding there". Was I not struggling for a week to remove any possibility of misunderstanding and misrepresentation of any kind? I am perhaps beating a dead horse. I realise that I could not have said all that I wanted to say to you under a lifetime. I cannot take up more of your time.

Members of the jury, my learned friend has reminded me that there is one matter that I must deal with. I have already referred to the fact that this woman has been before unofficial but informed tribunals all her life, doing it over and over again, people who paid, people who, you would think, would object if there were fraud or anything like it. There is only one thing they want, and that is the truth. Upon one occasion she was brought up before some Scottish minor tribunal—this was in Scotland, where they objected that it was impious when potatoes were introduced. Do you remember? There, before that august tribunal, she was convicted—of what? She was not fined £50, as was announced in flaring headlines in some newspaper last night; she was fined £10 by that august tribunal, and, members of the jury, we are told she was using some vest. That is the very reason, members of the jury, why I have taken so long. It must not happen again. I could have gone on recalling many other cases. Members of the jury, you know the difficulties of this matter. Can you visualise the possibility of an English tribunal saying this must be fraud? Goodness gracious! Look at the dreadful things alleged. She has even spoken of her guide Albert. Could you have anything more ridiculous than that, and that, and that? At the last moment that is thrown at me. I simply ask you, members of the jury, to totally disregard it. The wonderful thing is, I should have thought, that she has not been convicted twenty times, and possibly wrongly every time. Possibly so. I do not say any more.

Members of the jury, that is the position. I leave the matter in your hands with complete confidence. I could not be more grateful to you than I am. I ask you only to say this, because you have to say no more: "In the light of the evidence that has been produced before us we find it impossible to say that fraud has been proved against this woman beyond all reasonable doubt". That is what you have got to find. I ask you to say that, in the light of the evidence that has been called before you.

In regard to conspiracy, I ask you to say there is no evidence of conspiracy at all. There is evidence that these people had particular jobs, but jobs different from Mrs. Duncan's, and I ask you to say—and I do ask you if there be anyone still finding it difficult to accept my arguments, or who think they are ill-founded—only this, and this is all: "It is impossible for me to say that fraud in this case is proved beyond all reasonable doubt", as I said before.

Members of the jury, she is in charge not only of seven of you but of each and every one of you. I ask you to visualise this. Suppose her story to be true; then what follows on it surely is of great importance. It would be a terrible thing, would it not, if she, being used in this way, were convicted merely because one finds it difficult to understand with precision what was being done? Can you not be sure, at any rate, that the purpose behind it was good? I know that you will weigh all that, and I will conclude by thanking you most sincerely for the patience which you have shown me.

MR. MAUDE addressed the jury on behalf of the Prosecution.

(Adjourned for a short time).

MR. MAUDE concluded his address.

SUMMING-UP.

THE RECORDER: Now, members of the jury, these four persons are charged with conspiring together to pretend that through the agency of the accused

woman, Mrs. Duncan, spirits of deceased persons should appear to be present, and if Mrs. Duncan, by going into a trance or simulating a trance, pretended to hold communion with spirits, that is the kind of conjuration referred to in the statute to which reference has been made. Conspiracy is an agreement between two or more persons to do an unlawful act; the act of pretending to use—and the emphasis is upon the word “pretend”—a kind of conjuration, is an unlawful act because it is so made by that Act of Parliament, and the offence here, if offence there be, is committed as soon as there is an agreement together to pretend to do this kind of thing. That is the charge against them, and they are also charged, not merely with agreeing to do it, but with each of them specifically pretending, taking a part in the common purpose or design of pretending to do this kind of thing. It is the duty of the prosecution, of course, to satisfy you beyond reasonable doubt with regard to any charge. You have listened to a great deal of evidence, and you and I must make the best use of the time which learned counsel have left to us in the course of this declining day. You have heard so much detail in the course of counsel’s speeches that I shall only attempt to pick out for you the salient points on one side and the other for you to consider; for you are the judges of fact in this case and nobody else. It is a case which has offered itself to dilution in many of its aspects; the temptation is strong; it is one to be resisted. It is necessary that you should focus your attention upon what is alleged against these four persons. It is perhaps worth saying that this prosecution as framed against these persons in no way attacks Spiritualism as a sect, and by no possible exaggeration can this case be magnified into anything more than a commonplace prosecution alleging fraud, and there is no religious persecution even remotely connected with it.

The charge is that these four persons between the 1st December of last year and the 19th January of this year agreed to this pretended communion with departed spirits.

“Conjuration” is derived from a Latin word meaning to band or bring together. One has to see upon which date the evidence is focussed. The material dates lie between the 13th and the 19th January, roughly a week, a week in which Mrs. Duncan went to Portsmouth, her advent being arranged by Mr. and Mrs. Homer, and for which she was paid a sum of £112; and on the 14th January Lieutenant Worth—he having apparently seen Mrs. Homer before, who had told him what a wonderful woman Mrs. Duncan was, and what wonderful things an ectoplasm could do in the way of picking up or removing from the floor various articles—went to a display of that kind as described by Mrs. Homer, according to Lieutenant Worth, he having paid his 12s. 6d. You know what happened. He took Surgeon-Lieutenant Fowler with him, and at some stage or other when Mrs. Homer was told about Surgeon-Lieutenant Fowler and about his being sceptical, according to Lieutenant Worth she said, “I will give him a seat in the front row and scare him stiff”. Whether that was said or not depends upon whether you accept the evidence of Lieutenant Worth. It may have been said by way of a joke, if it was said. It would certainly be a very dangerous thing to say if Mrs. Homer was consciously at that time taking part in what she knew to be a fraudulent demonstration.

There it is for what it is worth; it is a very small piece of evidence, and perhaps it is not worth very much. This was before the visit on the 14th January if my note of it is correct, but on the 14th January these two officers went. They were checked in by Mr. Homer, and the evidence is important as showing the part which Mr. Homer took in these proceedings. He is the only person who has given evidence out of these four; it is quite obvious that he was present on all occasions. It is his function to check the names and, if necessary, to check the money. He was the financial

assistant to the enterprise, if enterprise you think there was, for it was he who paid Mrs. Duncan, and it was he who dealt with the proceeds afterwards. It may well be that you may think that if the evidence shows you that all these four persons were concerned together in this, the position of Mr. and Mrs. Homer is somewhat different from that of Mrs. Duncan and Mrs. Brown. That, of course, is not a matter which would concern you; the only matter which concerns you is whether they were taking a part in this of any sort or kind.

The evidence is quite clear as to what Mr. Homer's part was. In addition to that, he pulled the curtain and sometimes opened with prayer. It is obvious, particularly after his own evidence, that he was taking an active part in these demonstrations during this week. Then, says Lieutenant Worth, the seating was superintended by Mrs. Homer; Mrs. Brown was there, and we hear a little more about her later on, but on all occasions all four of these persons were there functioning in some way or another. The evidence as regards that is abundantly clear. Now let me leave that.

After the preliminaries, with which you are now all too familiar, the proceedings were opened with prayer; they all joined in the Lord's Prayer, and then they joined in 'South of the Border', because it was said that Albert liked that tune. Then when the lights were reduced to one red light, this voice was heard to say, "How do you do?" and the demonstration started in earnest.

According to Lieutenant Worth he was prompted by Mrs. Homer; as a result, he said, a white substantial figure came out, and he said, "Are you my aunt?" The voice said, "Yes", and, according to him, he has not got an aunt who is deceased; his aunts are living. I think we can disregard the uncle, but then there came this question about his sister, and the voice said that this sister was prematurely born, because Lieutenant Worth pointed out that he had not got a sister, or certainly not the sister to which reference was made; and he added that he has had no prematurely born sister.

Then the incident between Mr. Taylor Ineson—if that is his right name—and the spirit form of one Jarvis took place. You have recently heard that commented upon and, if it was a very convincing demonstration, all one can say is that it did not convince Lieutenant Worth. He saw all that there was to see; he has told you all that he purports to remember and, while a very strenuous attack is made upon him by Mr. Loseby in measured terms, even Mr. Loseby has referred to the convincing tones—to use his own words—in which Lieutenant Worth gave his evidence. You have to judge for yourselves whether Lieutenant Worth is a reasonable sensible person who has endeavoured to tell you the sober truth or not. He says that, in addition to this, there was the mutilated form of an arm, a stump, which a lady went forward and touched, and the figure to which the stump purported to belong said, "Did you feel the stump?" and the lady said, "Yes, I did". Then there was a little old lady of ninety, and somebody spoke to her, and there were other manifestations until Albert said he was about to leave. His place seems to have been taken in the first instance by a high-pitched voice saying something in a Scotch accent in the cabinet. Mrs. Duncan, we are told, is a Scotch woman.

She has not gone into the witness-box—I almost said ventured into the witness-box—so we do not know what kind of accent she has got, but it is admitted that she is a Scotch woman, and, then when this voice was heard, Mrs. Homer and Mrs. Brown said "It's Peggy", and that may help to indicate what part, if any, Mrs. Homer and Mrs. Brown were taking in this concern. As far as one can gather, at some time or other Mrs. Brown and Mrs. Duncan came south together; they were lodging together in Portsmouth; they came together and, while Mrs. Duncan is behind the curtain,

she is being supported, if this evidence is to be believed, in front by Mrs. Brown and Mrs. Homer in that kind of way.

Then you may remember Peggy came and said she would sing a song; she could not manage 'Annie Laurie' because that was too high, and so she sang 'Loch Lomond', and then said, "I am going down now", and disappeared. And I think this white substance, whatever it was, disappeared—according to nearly all the evidence you have got, it disappeared downwards towards the floor; that would be the place, of course, where, if a person were manipulating it and dropping it, it would seem to go. One can only arrive at that conclusion upon the evidence which has been given by the witnesses called on behalf of the Prosecution. That is apparently what happened right at the beginning. Then the cat appeared; there was a meow behind the curtain, and a white cat was pushed through the curtain about middle height. Then the parrot came, Bronco, and finally at the conclusion of the zoological part of that demonstration was the rabbit. Then this policeman was indicated, and Lieutenant Worth said a form came out, returned for his helmet, and when he came out Mrs. Homer said "Look at the helmet". Well, this of course is again the evidence of Lieutenant Worth.

From the noises, somewhat suppressed, which Mrs. Homer is now making, I gather that she rather disputes what Lieutenant Worth has said, but it only remains to make this comment: she has not gone into the witness-box to deny what this man has said against her, and it is not very much good her emitting noises of a dissentient nature if she does not go into the witness-box when she has the opportunity and deal with it upon oath when she had the opportunity to do so. That is the only comment one has to make about that.

Lieutenant Worth said, "Upon that Mrs. Brown said something in the same strain". Then there were noises as if somebody was shuffling behind the curtain. Mrs. Homer explained that by saying those were psychic winds. Then when the exhibition or demonstration, or whatever you like to call it, was over Lieutenant Worth was introduced to Mrs. Duncan. He said, "Mrs. Brown asked me what I thought of it, and I said 'Well, it was very wonderful'. Then Mrs. Brown produced these photographs; she said they were genuine spirit photographs taken at former seances of Mrs. Duncan. She said she had been there when they were taken". Now, it is said by Mr. Loseby who has commented upon these photographs, that it is impossible for him to give any evidence about them, impossible for him to prove whether they are genuine or faked. Mrs. Brown could have told us something about them if she had gone into the witness-box, but she has not been called to say a single word about them or to contradict this evidence of Lieutenant Worth, who said, "She showed me those and said she was present when they were taken, and they were genuine photographs of a spirit". You have seen them for yourselves. I do not propose to say a word more than that about them. You probably will be able to form your own opinion. The police photographer who was called can say no more than this about them, that photographs of that kind can be faked, and he showed you examples of photographs which he has faked. You can judge for yourselves whether they are similar to the ones which Mrs. Brown produced.

If Mrs. Brown was producing those photographs, and if you think they are faked, then you have got to ask yourselves why was it necessary for the demonstration to be implemented by matters of that kind if the demonstration itself was manifestly true? It would seem to be a most unnecessary proceeding, and you have only got to look at those photographs, I imagine, to see that they have been taken not merely by an amateur, but that the subject matter is very crude, to say the least of it. Again you are the judges

of facts. What do you think those photographs really are? They were produced by Mrs. Brown, that is the important part of it, because, as you see, the charge is against all four of these persons taking some part or other, major or minor, in this demonstration. Some of them may have been doing it for gain, as Mrs. Duncan undoubtedly was; others may not but for some other motive, or it may have been for some reason which is quite unexplainable.

So far as Mr. Homer is concerned, he has produced receipts which certainly indicate that any surplus money from this week's demonstrations were handed to charity. Whether all of it was so disposed of it is impossible to say, but it would seem on the face of it that the bulk of it was, so that his position as far as finance is concerned may be quite different from that of Mrs. Duncan. We know nothing about the financial interest of Mrs. Brown in the matter, and, although various things have been said about her and of Mrs. Homer, neither of them have given us any explanation about it.

Then on the next day, which was the 15th January and a Saturday, Lieutenant Worth, having seen this demonstration, having seen all of it, all those matters which are relied upon by the Defence as being genuine, went to the police. He went to the police, he made his complaint, and he attended again at these premises on the 16th which was a Sunday; I think he only paid 1s. 6d. on that occasion. These four persons were present, and about forty people were in the audience. Mrs. Homer opened with prayer and then, he said, Mrs. Duncan, in Albert's voice, delivered a sort of sermon on spiritualistic things, and she said a little girl, Audrey, had got hold of her hand and had run down to Mr. Barnes, and Mr. Barnes said that his daughter's name was Shirley and not Audrey, whereupon Mrs. Duncan said she had made a mistake in the name. That is perhaps not very important, it is a very minor incident in this story, but then Mrs. Brown is said to have got up and said that she could see spirits, and she knocked over a small object and said, "Well, never mind that; that is my spirit guide, he often behaves like that, and sometimes pulls my hair down!" It was Mrs. Brown who asked Lieutenant Worth how Dr. Fowler felt about it, and he said he believed it. There is another incident which undoubtedly implicates Mrs. Brown in the matter.

On the 19th Lieutenant Worth went again to these premises, this time with War Reserve Officer Cross. There were some thirty people present. Mr. Homer opened the proceedings with prayer. There was a sailor there who called his mother, and he says the white object appeared again, and he told you that this white object seemed to be supporting or was surrounding something with what seemed to be two arms held out in that way; and Mrs. Brown said, "She has a baby in her arms". Well, he says he could not see any baby, and at that moment Cross made a dive for this figure, which disappeared. It was a white figure, according to Lieutenant Worth, and he said, "Cross grabbed the figure; I flashed a torch", and then he says, "I saw Mrs. Duncan trying to get rid of a piece of white material which she was trying to get down to the floor, two or three yards in length". That is the crux of this case. If you believe that happened, then it is manifest that, whatever in part may have been genuine about this demonstration, it was certainly in this respect a fraud. He said, "Someone knocked down my torch; the cloth fell to the floor; someone pulled the cloth into the audience away to my left. Cross said to me 'Did you get hold of the cloth?' I said, 'No'. Mrs. Duncan said, 'Of course it has gone; it has got to go somewhere'."

Obviously when a witness gives evidence he is subject to cross-examination and to every kind of comment which can legitimately be made upon his evidence. You have heard Lieutenant Worth criticised by learned

counsel for the defence, who denounced him as a liar; and he said the whole of his evidence is to be disbelieved because on the Sunday prior to this Worth had told Mr. Homer that he had communicated with his mother and found that he had got a prematurely born sister. He explained to you that he did that because he thought it was his duty to adopt some kind of subterfuge at that time. I do not know why, but he thought it was the best thing to do, and that is why he told Homer that. He said also that he was acting on police instructions, which was only true in a general sense, and he corrected it afterwards and he told you that he had made a mistake, that he said that on his own account and without any other person's responsibility for his statement.

Upon that an attack was made upon Worth, made with full vigour and some dramatic effect, and you have to ask yourselves whether or not by reason of that passage in the evidence of Lieutenant Worth you ought to disregard his evidence, or to say about it that it is so doubtful as to be unacceptable to you. That is entirely a matter for you. There can be no doubt at all that Lieutenant Worth tells you something which either happened or which he dreamed or invented, because he said deliberately here, "I saw Mrs. Duncan try to get rid of this white thing", and he demonstrated to you what he saw. No wonder that the Defence desire to criticise the evidence of Lieutenant Worth; if you accept his evidence in the main, in substance, of course it is absolutely fatal to this case so far as Mrs. Duncan is concerned. It must be conclusive, and nobody would recognise that sooner than those responsible for the Defence in this case.

It is perfectly true to say that, so far as Surgeon Lieutenant Fowler is concerned, his evidence was taken quite shortly. He was not asked about the aunt and he was not asked about the sister; it is quite fair to say that in respect of the aunt, the evidence of Lieutenant Worth stands by itself. You have had the advantage of seeing Worth and judging him. At one time I think he won even from counsel for the defence the tribute of being a wonderful witness. Whether he deserved that epithet is a matter entirely for you. You have seen all the witnesses and you will judge for yourselves. He stands alone in respect of the incident of the aunt for what it is worth, because, perhaps for the sake of brevity, Surgeon Lieutenant Fowler was not taken through all the details. He does speak about the parrot and the cat, and he said, "Mrs. Brown showed us photographs and said they were real spirit photographs, and she added that the small inset circles in those photographs were photographs of people who had died", and he says that Mrs. Brown was prompting people to speak up during this seance.

There was also called for the prosecution Mr. Burrell, who is himself a Spiritualist and, he says, a medium of a certain type. He says that he went there on neither the 14th nor the 19th, but on the 17th, and he said, "I went there with the Locks, and all four of these persons were there". He said Mrs. Brown was the compere, to use a phrase with which we have become familiar in recent years, and he said that Albert was Mrs. Duncan's spiritual guide, and so on. Then he saw a white substance appear and a voice said that the spirit had been downstairs for a torch. Then he said there was what appeared to him to be muslin surrounding a torch, and then he says one of the sitters claimed the torch; the torches had been left downstairs. Then he speaks about an interval when Albert dissolved, or whatever is the right word, and Peggy took his place and sang 'You are my Sunshine' in a girlish voice; and he says in the middle of the curtain was the white substance, as he says, waving about. At the end he says that he saw Mrs. Duncan fall out of the curtain in Mr. Homer's arms; apparently he sat in the front row in the middle. He said Mrs. Duncan fell out into his arms, and she had a staring look about the eyes. Somebody

gave her a cigarette and then she was all right. He said, "Mrs. Homer asked me if I was convinced, and I said I was not. She said these poor people were convinced, and I said that was because they did not understand". One is perhaps a little moved to find some of these witnesses coming here to say that, in order to attend some of these meetings, they have to pay their entrance fee by instalments. He says on the 18th he was there again and similar things happened except, he said, "I heard the voice of a bird chirruping; somebody said it was a parrot, but I could not see anything at all". He said there was a reference to Mrs. Allen who had a swollen arm, and he said the arm was poked through the curtain, and Mrs. Allen said, "Yes, my dear, it is still there", referring to the swollen arm. He said, "Mrs. Homer asked me my opinion, and I said there was more proof about the airman". He said a figure had appeared and he was told to call out his mother and sister; it salaamed to him—that was the expression he used. He said that, so far as he is concerned, he has no ectoplasm; so far as he is a medium, he does not indulge in that form of Spiritualism at all.

Then Mr. Lock, the pedlar, gave evidence and said he was there on the 17th when Mrs. Homer opened with a prayer, and he was invited to hold a conversation with his mother, and he said a form appeared and the same thing happened again, and he said, "Is that you, Sally?" and it said, "Yes". "I said, 'Come out and shake hands'", and he said it came out of the side of the curtain close to where Mrs. Homer sat. "I leant over the two and shook the hand; it was very fat and clammy. It was more like a human hand than anything else". That is the evidence of a man who is a sympathetic Spiritualist and himself a medium. He came to the conclusion that this demonstration on the 17th was not a genuine one. Mrs. Lock, his wife, corroborates her husband. I will not go through it in detail. She was there on the 17th, and she was there on the 19th, and she says she saw this white substance come down, and she added this: "I saw Cross holding the white thing which went away towards the left".

Mrs. Jennings, who is now in the Main Control of the A.R.P. where she lives, was called and she said that she was there on the 19th; she remembers Peggy coming out and referring to having taken the perfume out of the perfume bottle. Peggy said it was she who had taken the perfume out of Mrs. Homer's bottle, and the lipstick. That is Peggy the dancing girl, and she said the figure of Peggy was a figure with a sheet over it. She said, "My feeling was that Albert's voice which I heard was the same as Mrs. Duncan's". She said, "All I saw of Albert was a head and shoulders through the curtain, covered in white. Peggy danced about in front of the curtain about eighteen inches in front of me; I had the feeling that it was not genuine". It is said that her evidence does not amount to very much. It is entirely a question for you; it is not for counsel to declaim, "I say this or that", "I say this is genuine" or "I say that is". It does not matter what counsel says—certainly, in that kind of way; whichever side he may represent, prosecuting or defending, you are the judges of what the witnesses say, and of the witnesses and, by judging the witnesses, you can often judge the worth, if any, of what they tell you.

Then finally Cross was called. He said, on the 19th "I seized Mrs. Duncan when a torch shone; she was working a white cloth down on her chest". Supposing you accept the invitation here to remove Lieutenant Worth out of this case by reason of the incident commented upon, there are still these other persons, including Cross, who deal with this white substance. Cross said: "It was on her chest, and for a moment or two I held it in my left hand". He was somewhat handicapped because he was trying to hold Mrs. Duncan with one hand, which is perhaps a little difficult because she is not a small woman. He said, "I grasped this sheet

and it began to be pulled away; I held it for a moment before it was pulled away. I arrested her", and he told you what it felt like. "Then she sat down, complained of being ill, and asked for a doctor. She had a high colour; I asked Lieutenant Worth if he had got the cloth or the sheet, and Worth said, 'It has gone', and Mrs. Duncan said, 'Of course it has gone; it had to go somewhere'".

Inspector Ford arrived, and there was an invitation by all the ladies present to be searched. A search was made and no piece of material was found. The Defence are entitled to the benefit of that, of course, and you know the comment which has been made. It has been said, "This was not a cloth at all; this was ectoplasm". Well, of course, if it was ectoplasm, you would not expect to be able to hold it, and, if you could not hold it, I suppose you would not be able to feel it. The difficulty here is that nobody can explain what an ectoplasm is. It is something which is outside. The Prosecution say that this was something outside the cabinet. "Ectoplasm", of course, probably is derived from the Greek *ektos*, which means "outside"—that is all—and *plasm*, that is, "life". That is how the word is built up. The Prosecution say it was something in the nature of a cloth being manipulated outside the curtain. The Defence say, "Nothing of the sort; it is part of Mrs. Duncan which comes outside her when these manifestations take place", and according to one witness it must always go back to the medium and, if it does not, she is injured; she is short of something. This was not an ectoplasm which was going home. If it had come out of Mrs. Duncan, it was not going home that way, because it went some other way—there is no question about that—and, apart from the fact that Mrs. Duncan was disturbed, as she well might be when her seance is interrupted by a police intervention, there is no evidence at all that she suffered by reason of this ectoplasm going back to her suddenly and violently, as we are told by those who profess to know something about these matters inevitably happens. That is the case for the Prosecution. It really all focuses itself down upon a pinpoint of time and place, for if you are satisfied that Lieutenant Worth and Cross saw and got hold of a piece of material, whether it was muslin or some other kind of material, then it is quite obvious what your decision would have to be with regard to this allegation.

But it is said by Mr. Homer, who is called, that this was entirely genuine. Mr. Homer is the only one of the four accused who was called. He said he arranged this seance and he arranged the cabinet. On the 14th he was present when the audience assembled and Mrs. Duncan went into a trance. He said the Lord's Prayer, and Albert joined in the same prayer. Then he says the lights were put out, he does not know who did that: he heard the voice, and he said he saw the spirit form of Albert and this face with a beard. Albert said, "Can you see us both?" He said, "I saw him in the ectoplasm clearly, and then Albert said to Mrs. Duncan: 'Sit down, Mrs. Duncan'"—having invited her to stand up—"and have a good rest", while Albert took over for the demonstration, and then the demonstration started. First of all with the old lady, to which Lieutenant Worth responded and Albert said, "That is the voice", and Lieutenant Worth said, "Will you please come out?" and an old lady came out three and a half feet from the cabinet. "I could see her face, very thin, about five feet tall, and Worth said, 'Are you my aunt?' and the figure said, 'Trying to act strange, aren't you?' She was in the ectoplasm. The old lady disappeared through the floor". Well, you see, that is the contrary version to Lieutenant Worth; it was put to Lieutenant Worth as what the old lady said, and Lieutenant Worth denied it. Homer said, "Worth's version of the matter is quite wrong, and that is what the old lady said to him".

Then there is a reference to the sailor and about there being no

difference in the rank and file on the other side. Then there is mention of the baby sister, and I think I have already sufficiently dealt with that to indicate to you what Homer's version of that matter is. He said Mrs. Homer's grandmother came; she was singing a hymn in Welsh. Mrs. Homer and the grandmother met in front of the cabinet, and there was a mole on Grannie's face on the right side of the nose; she was in ectoplasm. Then there was a policeman in a white helmet. Then Mrs. Barnes's granddaughter appeared with a baby voice. She ran to Mrs. Barnes's side, took her hand and said, "This little piggy went to market," and repeated the nursery rhyme. Then he said Mrs. Allen appeared showing her arm, and then he said, "On the 19th I was knocked to the floor when a flash of a torch appeared on the curtain. I saw Mrs. Duncan on an upturned chair; she was distressed, calling out for a doctor. Cross went to the window and accused Christine of having got the sheet. Christine demanded to be searched. Mrs. Homer demanded that everyone should be searched, and nobody was searched, and nothing was found". That was his evidence with regard to those dates.

Then Wing Commander Mackie was called, and he said that he was there on the 14th, and he said Lieutenant Worth did undoubtedly say that he had not got an aunt. He said, "I don't remember any figure; there was a reference to a sailor, and a parrot built up, and my mother came; my mother had come previously at a sitting with Mrs. Duncan in September, 1943". He said there was a policeman, but he was in a blue helmet.

Then there was Mr. Gill, who was there on the 19th. I do not think he adds anything to the matter except that he says he never saw any sheet pulled or passed or anything of that kind. Mrs. Gill was called. She was there on the 19th, and she said a young boy was manifested three-quarter length. She said, "I saw a small portion of the ectoplasm on the ground, and then Cross broke through, and I took hold of him and I said, 'It's all right'". She thought he was a person who had been upset by the seance.

Now, all the details of these witnesses are to some extent, and must be, in your minds, and therefore I am not pretending to deal in detail with them. I would perhaps have been able to have dealt with the evidence of the witnesses for the Defence more in detail if time had been left for that purpose, but that is perhaps unnecessary having regard to the detailed observations to which you have already listened.

Then Mrs. Cole was called. She was there on the 14th January, and she was in the window seat and she told you how she saw Mrs. Allen, who thanked her for the orchids. She also said a little old lady—Worth's alleged aunt—said to him, "You are acting strange", and you know the connection in regard to that matter. Mrs. Alabaster of Southsea was there on the 19th. She said, "I saw a torch flash when the police officer grabbed the ectoplasm". She said, "There was nothing white passed in front of me. I noticed a smell from the cabinet before Mrs. Duncan went into it". Then Mr. Coulcher, a shopkeeper of Portsmouth, was there on the 19th also. He said, "I heard Cross say that a white cloth had passed round my corner". It is obvious Cross was saying that there was a white cloth which he had had and which had then gone round the corner, and that comes from a witness, Mr. Coulcher, who says, "It never passed me, but I did hear Cross claim that he had seen it and wanted it".

Miss Homer was called, and I do not think I need deal in detail with her evidence. Then Mrs. Rust, the retired midwife of Portsmouth, you will remember, said she was there on the 17th when her husband manifested himself. She recognised him, he had been dead some few years. She said, "I held his hand, he kissed me", and so on, "and then my mother appeared. My mother had two moles on her face, and I saw them again. My mother has been dead twenty years. She has not altered". Then she spoke of

a Spanish lady who spoke. "I said, 'Is it Aunt Mary?' and she said, 'Si'. I called her. We spoke in Spanish; it was my mother's sister. She has no moles on her face. I noticed a smell, faint in nature, from the ectoplasm". Mrs. Sullivan was called. She was there on the 14th, and she remembers Mrs. Barnes and the granddaughter incident, and the policeman. She said, "I think the helmet was dark in colour. I also saw my father. I was seven years old when he died". Mrs. Taylor of Cosham says that she was there on the 14th, and she mentioned the old lady saying to Lieutenant Worth, "Trying to act strange, aren't you?" and she also remembers the child coming to Mrs. Barnes. She said, "On the 19th I was there when the commotion took place. I saw Cross dash forward and the curtains flying about", and she remembers Mrs. Duncan saying, when Worth said he had not got the cloth—it had gone: "Of course it has got to go somewhere; it is ectoplasm".

Mr. Walter Williams was there on the 19th. He is a collector and he remembers Cross grabbing at the figure. He said, "The lights came on and I saw Mrs. Duncan on a chair very distressed. I saw something white; it disappeared through the floor." He said on the 18th he saw his mother and he had seen Mrs. Duncan in the chair with his mother standing by her side, and he had a conversation with his mother for two or three minutes and then she disappeared. Then Mrs. Tremlett, who was there on the 14th January, was called. She remembers a little old lady coming out and saying to Lieutenant Worth, "You are acting strangely, aren't you?" You will observe that Mrs. Tremlett, being obviously a lady of education, used the words "You are acting strangely". Then Albert said he had a sister prematurely born for Mr. Worth, and so that incident is dealt with, and the mutilated arm is dealt with by her. She said on a previous occasion in 1941 at Havant she attended a demonstration by Mrs. Duncan. She said, "I also saw a friend of my friend Mrs. Joplin, and she spoke", and Mrs. Joplin is called to say she was also present on the 14th January and she remembers the incidents deposed to by Mrs. Tremlett, and so it goes on.

Mrs. Barnes was there on the 14th. She tells you about her granddaughter Shirley. She said, "She came very close and touched me; she repeated the rhyme and disappeared. I could not see her feet, she had a robe that reached to the ground". Mrs. Potter of Portsmouth was there on the 18th January when her mother came through, and she said, "My father came through; he died in 1917, and he had not changed at all. Also a friend who died in India in 1913. He was very slight in build". She said, "I am a regular attendant at the Homer church", and she said that she has a guide who is a Red Indian. Then Mr. Clayton, the marine, told you that he attended three of these seances in January, and he said, "A lady came out in front of me, and she produced my torch and said, 'I have been through your pockets'. I said, 'Are you my grandmother?' and she said, 'Yes', and shone the torch on my face. She kissed my fingers. I felt contact; it was solid, nothing like butter muslin. She gave me my torch and then disappeared". Then he deals with matters way back in 1943 when his grandfather appeared at a Duncan seance—he had a ginger-coloured moustache—in a shroud, and he said, "The curtain moved when a form came out".

One is puzzled, of course, by a great deal of this. If it is a spirit, one would have thought it was much easier for a spirit to pass through a curtain, if one understands a spirit aright; but it is so difficult to know what a spirit, when it is materialised, may be. If it is materialised, then, according to these witnesses, it has become solid and the curtains have to move, and then it suddenly disappears from its solid condition into nothing; and you may think it is all rather confusing.

As to any explanation of these matters, I will add a word in a moment.

This is perhaps a wearisome, tiring recital for you to listen to, tiring not only to you; I am endeavouring to do what justice I can to this mass of evidence called by the Defence. Perhaps it has rather defeated itself by being so prolix and multiplied; perhaps a few simple instances would have been much better, because we are now simply overwhelmed with this mass of evidence which is extremely difficult to bear in mind in its details, if the details are of any importance. It is easy to lose it because the mass is so heavy, it smothers everything. However, that is the policy which the Defence have adopted, and we must take the case as we find it.

Mrs. Coulcher, the shopkeeper of Portsmouth, was there on the 12th January when incidents took place. A cousin came who had died some five years ago; her mother came on the 17th and said she was helping the boys at the present time going over, and so on, "crossing over to-day". She said, "I have attended the church of the Homers". Then Mr. Kirkby was called, and I think I have dealt with evidence in twenty minutes which occupied two days. On Wednesday we began with Mr. Kirkby, who conducts research work into Spiritualism. He said he was there on the 18th, and he recognised a scientist friend, George Dobson, who has materialised on previous occasions. He had a moustache, and he was paralysed, just as he was twenty years ago, and he said, "All the spirits appear with a protective covering, a kind of shroud". Then he said there was a budgerigar. It is a little interesting to notice that he did not say the budgerigar said, "Pretty Polly", but "Pretty Boy". It is a very small distinction, but there it is. Then he says, "On another occasion my guide appeared". Mr. Kirkby seemed a very sober-minded kind of individual, you may have thought, during a great deal of his evidence, and one is a little flabbergasted at the end of it to find he has got a guide, and according to him we have all got a guide, and his guide is a Mr. Chang, a Chinaman with a ten-inch moustache and a pigtail complete; that is his guide. I refrain from any comment because it is very desirable, I think, that I should, because the temptation is almost overwhelming. He said, "Ten years ago, through Mrs. Duncan I saw a child skipping; I held the rope. It was Peggy, it was a child's voice with a Scotch accent". He said, "I have discovered some three or four false mediums, but I merely dropped them. At present", he says, "spirits will only manifest in a dim light". He says he knows nothing about this theory of regurgitation. Then Mr. Barnes, the retired Indian Army captain, said that he attended some five sittings with Mrs. Duncan. He was there on the 13th January when he saw his son, who was missing since 1940, and the son said that "he had brought Shirley, my granddaughter, and Shirley came out and my son disappeared". He said, "I attend the services of this church. In September last at these premises my mother appeared, but I could not see her very clearly".

Then Flight Lieutenant Miller of Hove said he has attended sixteen times at seances of Mrs. Duncan, and he says, "I only recall fifteen recognitions". He takes us back to 1937 at Edinburgh, and in 1941 at Preston there was another seance where he met a lady he had known in Edinburgh, a Mrs. Roughhead, about whose house we have heard. He said, "I shook hands with her; her daughter also appeared", and he said, "Again in 1943 at Preston I saw a lady friend who had been killed in an air-raid; she appeared". Mrs. Blackwell, the lady who is President of the Pathfinders Spiritualist Society—she has had at least a hundred sittings with Mrs. Duncan—she said, "I have seen many materialisations. Last year at my flat I saw my father; I touched him. It was something hard". You will remember that in conjunction with what we have heard—that, when it was touched, it was soft. Others have said it was something cold. She said she had seen her husband some four times before that at Mrs. Duncan's seances, and also her mother. She said, "I have seen them many times,

and I have seen the whole family at different times", and she also said, "I have heard different languages spoken". Mrs. Bailey, psychic investigator, says she acts as a medium and does work at the Institute of Psychical Research. She says, "In 1932 I sat with Mrs. Duncan at Staveley at a private house. My mother appeared. I remembered her because she had golden hair, and then my grandmother, and I recognised her by her long nose".

Then the Rev. Maurice Elliott was not too certain about the value of Spiritualism. I suppose nobody doubts that Spiritualism may have some value if a person either has no belief in the Christian faith, or if their faith be so weak that they are unable to accept the Easter story of the Christian belief, in which I should have thought the whole thing was possibly summed up, and seek to prove it by some other means. I suppose that may be the purpose of Spiritualism; whether its effect is good or bad, who can say? I certainly do not propose to make any comment about it one way or the other.

Then Mr. Hannen Swaffer, a journalist, was called, and perhaps his evidence can be dealt with by saying that all he really did was to contradict some of the others. Perhaps that is not altogether to be wondered at, but in fact he said that he has never noticed any smell in the case of Mrs. Duncan, unlike the others, from the ectoplasm, and he says when a light is shone the ectoplasm always goes back into the medium. Well, that is exactly what it did not do on that occasion. He, of course, is talking because he believes in these things; as he says, he is talking about genuine ectoplasm and what a genuine ectoplasm does. But if you believe Lieutenant Worth or Cross, this ectoplasm did not do that; it did not go back to the medium as Mr. Hannen Swaffer says it always does, but it went round the corner. Then Mrs. McNeill of Glasgow says she was at a seance in 1931. That is going back a long time, but I have not shut out anything from this case which I thought might within reason assist you. Bounds have been stretched as far as human nature and reason would permit, in order that nothing should be shut out of this case which might be calculated to assist you in the slightest degree. She says she saw her sister, and she saw in Glasgow at another sitting her father. Mr. Abdy Collins of Bedford, a retired Indian Civil Service official, is a member of the Institute of Psychical Research, and he deals with 1939, 1941 and 1942 and different places. At York he said he was struck by the natural condition of the voices; that was in 1939. "My mother appeared", I think he said, "and my wife's sister appeared, and on one occasion I saw Albert standing by the side of Mrs. Duncan. The figures were an unearthly white, almost phosphorescent. I could not see through them; they were solid". And then he said, "I think there is an emotional tendency present at these gatherings", which you may think accounts for a great deal.

Mrs. Wheatcroft of Battersea says that on the 18th January she was present, and she says her husband appeared in the afternoon and called her Annie. She said, "I am a Spiritualist, and I have gone to the Homers' church for the last year". Then the sailor lad, Branch, who is a friend of the Homers and of Miss Homer, is called to say that he was present on the 13th and his grandmother appeared, very slender, with hundreds of little wrinkles. She spoke with an accent and said, "I am watching over you", which would indeed be a very comforting thing for a sailor, if he is a sailor who goes to sea—I do not know whether he does—and she disappeared through the floor.

Now that brings us to yesterday when Mr. Dodd from Liverpool was called, and perhaps I can go a little more quickly because I am getting near the time you can remember. Mr. Dodd has been interested in this subject for forty years and is retired, and I rather gather that he has got a little

tired now of Spiritualism and has taken up as a hobby the Shakespeare-Bacon controversy, about which he is writing articles. He says that for forty years he has been interested in this, and he says, "In 1932 at Manchester I saw Mrs. Duncan in a trance, and I also saw Albert. The curtains moved and my grandfather came out, a very corpulent man; he shook hands with me and said, 'I am so glad to see you in my native city'. He had got a smoking cap on and had a donkey fringe". Then he said he saw his nurse. "My grandfather said, 'Ben is here', and he said, 'Keep your pecker up, old boy', and he held my hand so tight it ached for hours afterwards. He slapped his chest and said, 'It's solid' ". You will remember—I think that is enough to recall to your minds what he said—he referred to another seance in 1936 in a private house, and another one in Liverpool in 1940. Then he was asked about a previous conviction of Mrs. Duncan.

If the Defence here had elected to keep to this particular matter of what had happened on those previous days, that piece of evidence would not have become admissible in evidence at all; but for reasons best known to themselves the Defence here thought it necessary to fortify this case by using the resources of the community of Spiritualists, which must be very large, to the end of dealing not merely with this week, but with the history of the past ten or eleven years, for the purpose of showing, of course, that Mrs. Duncan on other occasions was a genuine medium. We are not concerned with whether she was a genuine medium on other occasions; we are only concerned in this inquiry as to whether on this occasion, and particularly on the 19th January, the demonstration on that day was wholly or in part false. That is all. But, as soon as the Defence called those witnesses of years gone by, then a rule comes into operation, and a very common sense one, namely, that if a jury are going to be told part of a story they should be told the whole. If you are invited to review a person's character, professional character if you like, you have got to know all about them; and so it comes about that that question was permissible, and we now know that in 1933 she was convicted in Edinburgh before the Sheriff Substitute's court, which is held, certainly in Scotland, to be an august tribunal if you like, but not quite in the sense that Mr. Loseby used the word "august". It is enough to say it is a Scottish tribunal, as I understand it, equivalent or rather superior to one of our courts presided over by a Stipendiary Magistrate; at all events he is a member of the Bar, qualified, trained and so on. Whether the decision was right or wrong we do not know; all we do know is that Mrs. Duncan did not appeal against the decision, and she was found guilty of fraud in respect of a demonstration in which some knitted garment had been used and manipulated in front of a curtain and she achieved certain phenomena. She was fined as a result of it.

There it is. It may not be worth very much; it certainly does not decide this case. There is no reason why a person regarding the matter would say, because she was convicted eleven years ago of a fraud similar to that with which she is charged now, that in evidence she has done it on this occasion. That would be most unreasonable. It would be equally unfair for the Defence to be allowed to let you consider this lady's career without knowing of that incident, and I am sure you would regard that as a most unfortunate thing. That is now removed, even as a possibility, because you all know about it for what it is worth and you will give it such weight as you think it deserves.

Then Dr. Winning of Glasgow was called, and he said he had been to some forty demonstrations of Mrs. Duncan, and he said, "I have never seen the backs of any of the spirits; they all had drapery; they sometimes spread it out to show you how much there was of it." He said he has seen his grandmother and his Uncle William and Uncle Tom, quite a large

family circle, at different times. Mr. Steabben of Baker Street, psychic healer, says, "Ten years ago at a Duncan seance, a skinny child with shrunken arms appeared and spoke to me. At another seance my mother spoke to me". Mrs. Kerb speaks of a seance in 1936, and she speaks of her daughter of fourteen appearing; she was tall and slim. Then Peggy came and sang a French song called the 'Light of the Moon', I think, in French with a Scotch accent. Then Mr. Ormesher, a Spiritualist of some forty-five years standing, a retired sanitary inspector, was called. He goes back to 1933, and he says at a seance in Liverpool he saw his mother and sister. He said, "I saw my mother clearly, although I was only eight when she died. My sister came; she died of gangrene in her hand". He says, "I shook hands; her hand was completely healed; I felt her warm hand". I asked him whether it was hard or soft, and he said it was quite soft; it was not a hard substance at all. She wrote a message down for him. He said in 1940 at Preston he saw his daughter who was ten years of age, who had been drowned in a river. She came through and said, "I am sorry". Then his wife came and his wife's father. Then Mr. Woodcock, an electrical draughtsman of Blackpool, came and he said between 1939 and 1942 he had many sittings with Mrs. Duncan, and he said, "My wife in 1939 appeared and thanked me for my flowers on her grave. She took my hand and joined it to the hand of my sister-in-law and took the ring off my finger", and he said, "We have since got married".

Then Sir James Harris, of Edinburgh, a Justice of the Peace for Edinburgh, came and told you it was he who saw his old friend Sir Arthur Conan Doyle at Mrs. Roughhead's house at Edinburgh on one occasion. He has been a psychic investigator for twenty years. He says that the figure was whitish, especially the moustache, and he has never seen it since. He says there is a sculpture of Albert at the Psychic College at Edinburgh, which is a house taken over for that purpose. He has written a book called *Other World People*. He says he was present at the trial of Mrs. Duncan at Edinburgh, and he said, "I did not agree with the verdict". If you do not agree with the verdict, the first thing to do, as I have pointed out, is to appeal against it; there are facilities for things of that kind. That apparently was not done. Then Mr. Duncan, a jeweller of Edinburgh, comes and says that at Mrs. Duncan's house, at a date I have not got, he attended some twelve sittings with Mrs. Duncan; the last was three or four years ago. His wife has appeared several times. He says the forms come too quickly—he saw his father and mother—to be assimilated by anybody. A solicitor from Dunfermline, Mr. Smith, said he went to a sitting some six months ago, when his mother and wife appeared. Mr. Hurd of Leeds said his mother came on one occasion four years ago, and his aunt and a schoolfriend. A psychic healer, Miss Margaret Lyons of Glasgow, says in 1940 her father came and said, "I am proud of you; you are a far better teacher than I could have made of you". "I shook his hand. He had a bent figure; I touched his face". She said, "I am a psychic healer, and I do it by the laying of hands". Then Mr. Gerrard of Chester says he has seen as many as twenty-three spirits in one night; the last seance with Mrs. Duncan was eighteen months ago when his son of nine materialised, who died in 1918.

Then Mrs. Fry was called. Something has been said in this case as to how far persons who get this kind of religious ecstasy can persuade themselves as to some of these phenomena at all events, if it is necessary to seek an explanation of any of the things about which we heard. You may think with regard to a large number of the witnesses called for the Defence—although it is entirely a matter for you—that they displayed an obvious enthusiasm, to put it mildly, in some cases which approximated to something much more, a kind of ecstasy. You are men and a lady of

the world, and you have only got to exercise your common sense and to ask how far people who have got into that condition may not be affected. I only mention that because of a rather tragic piece of evidence given by that lady, Mrs. Fry. I had to ask her a question because it was necessary. She said that she had organised sittings for Mrs. Duncan, and she said, "At one of them I saw my son who has never been born at all. Albert said it was my son, and I believed it was my son". And you see to-day she firmly believes it was her son, and this phenomenon could not be given a face or a head because it was never born; and now we know it was a miscarriage only five months old, when you could not even tell whether it was male or female. And here is this lady telling us she was quite satisfied she had seen her son, grown up now, some twenty years of growth manifested in his build; and he was never born at all, nothing more than a miscarriage five months old. It makes one think one has almost plumbed the depths of credulity. It may be a thing which gives infinite comfort to that lady; apparently it does. One can well understand that people are prepared to pay very high prices for comfort of that kind. That was her evidence, and I do not propose to say anything more about it because it really searches the heart, does a piece of evidence of that sort. Then Mrs. Dodds of Dunfermline is the last witness but one, and she speaks of a sitting with Mrs. Duncan when she saw her father. Mr. Frank Spencer of Salford, Corporation labourer, said he had five sittings between 1933 and 1942. He said, "At the first seance I saw my brother, who had been killed in a cycle accident", and you will remember he told you how it happened. He got into a pothole and crashed, and someone came along and said, "It's no good bothering about him; he is dead". He said, "My father came through also; he had a beard". He was the last witness called.

That is really the whole of this case. You have listened most attentively to all that has been said by learned counsel on behalf of the accused. Indeed, Mr. Loseby spoke to you for three hours and forty-five minutes, including his opening speech, and I merely mention that in order that it may not be said hereafter that there was no opportunity of putting every conceivable point to you on behalf of the Defence, and I do not suppose it will be. It is sometimes said that a presiding Judge has not put this part of the Defence to the jury, and has not put that part of the Defence to the jury. I merely mention this to say that, if I have not done it somebody else has, and it has been done in great detail.

We have heard a great deal of Mr. Loseby. I am not making any complaint, but in his speech to you to-day, which lasted two and a quarter hours, he said a great deal, and might have said more; but from the people with whom we are really concerned, not a word. Not a word from Mrs. Duncan, not a word from Mrs. Homer, not a word from Mrs. Brown. Not one syllable in the witness-box. Three hours and forty-five minutes by counsel; yes, but you do not decide cases upon speeches of counsel, whether they represent the Prosecution or the Defence, but upon evidence. Three of these persons have not chosen to go into the witness-box to deal with these charges or to deny them upon oath, and, while they are entitled to remain where they are under our law, you may have thought that there were several points upon which they could give you a good deal of assistance in their own behalf.

That is the whole of this matter. As I have told you, conspiracy is committed by two or more persons when they agree together to do an unlawful thing; the mere agreement is the offence, it does not matter what it is, if it is unlawful. By sitting round a table and agreeing to do it before you get up to do anything at all, the offence is committed—as soon as you agree to do an unlawful thing. There are many graver offences in our law, but the offence is committed as soon as you agree to do it. You must

have at least two persons, because a man cannot agree with himself. If you think that they are all in it in some measure or other—and the measure is not for you to determine, in this sense, that the degree, if degree there be, is not a matter for you—what you have to be satisfied beyond reasonable doubt about is that at least two of them agreed to carry out something in this week, particularly on the 19th, which wholly or in part was fraudulent. They are, as I have said, specifically charged—in the event of your thinking that there was only one person guilty of anything—but I imagine that, if you think that anybody was guilty at all here, you would think it was not merely Mrs. Duncan by herself, and that, therefore, the first count which charges the general conspiracy really deals with the matter. In the second count they are separately charged, in case you thought there was only one person responsible; conspiracy must involve two. If you thought that two or more were concerned, that is covered by the first count and you need not bother to go further into the matter, but if, on the other hand, you think that there is any reasonable doubt, then these persons are entitled to be acquitted, and a reasonable doubt means what it says.

We are not trying anything which is metaphysical, or the doctrine of Spiritualism, or whether indeed Mrs. Duncan on other occasions can make genuine manifestations. Of course the Defence say, if she can on other occasions make genuine manifestations, there would be no need for her ever to make fraudulent ones, but it might be that at certain times such things were necessary because something was not working smoothly, and all these people had paid 12s. 6d. and something had to be done about it. That might happen.

There is the whole matter for you to consider. A suggestion was made at one time that a demonstration would assist you. I am glad to hear from you that you do not think it would. Indeed it might operate unfairly against this woman, because supposing the spirit, if such a thing there be, was not mindful to come to her assistance on this occasion, then the verdict would have to be against her. In any case it is not the sort of thing, I think, to which a jury might be invited, because people may have very strong principles against doing anything of the sort. Try this case on the evidence as I have reminded you of it. If you think there is any reasonable doubt they are entitled to be acquitted, and I imagine you will think that all four of them either stand or fall together; that is a matter entirely for you. Remember that the charge is directed to this particular meeting in effect and in fact, and it is the 19th. You may deal with it upon that footing. If you think there is no reasonable doubt, then you ought to find them guilty.

Will you please consider your verdict and tell me how you find? If there is anything you wish to look at, members of the jury, send for it and you shall have it.

MR. LOSEBY: Might I ask your Lordship if your Lordship would think it right to remind the jury that, as far as Mrs. Duncan was concerned, I offered her for cross-examination only, at the same time as I asked for the test. I made that quite plain to my learned friend, and I hoped I had to your Lordship. I did use the phrase “for cross-examination only”, if my friend cared to take it.

THE RECORDER: Yes, quite right; you did, but you must call her as a witness. I asked you if you were putting her in the box for the purpose of giving evidence and you said no. It was a matter for you; you could either call her for the purpose of giving evidence in chief, or for the purpose of cross-examination. It was a matter entirely for you.

MR. LOSEBY: Yes I did point that out.

THE RECORDER: Yes, but she was not called.

MR. LOSEBY: No, my Lord, not at my request.

THE RECORDER: There must not be any doubt about this. You are the person

to call the witness—for whatever purpose is a matter for you—and you elected not to call her.

MR. LOSEBY: I expressed my anxiety to call her, my Lord.

THE RECORDER: I did not stop you calling her, Mr. Loseby.

*(The jury retired to consider their verdict at 4.32 p.m.
and returned into court at 4.56 p.m.)*

THE CLERK OF THE COURT: Members of the jury, are you agreed upon your verdict?

THE FOREMAN OF THE JURY: Yes, sir.

THE CLERK OF THE COURT: Do you find the prisoner Helen Duncan guilty or not guilty on the first count of this Indictment for conspiracy to contravene the Witchcraft Act?

THE FOREMAN: Guilty, sir.

THE CLERK OF THE COURT: Do you find the prisoner Ernest Edward Hartland Homer guilty or not guilty on that count?

THE FOREMAN: Guilty.

THE CLERK OF THE COURT: Do you find the prisoner Elizabeth Anne Jones guilty or not guilty on that count?

THE FOREMAN: Guilty.

THE CLERK OF THE COURT: Do you find the prisoner Frances Brown guilty or not guilty on that count?

THE FOREMAN: Guilty.

THE CLERK OF THE COURT: You find all four guilty on the first count, and that is the verdict of you all?

THE FOREMAN: Yes.

THE CLERK OF THE COURT: You are discharged from giving a verdict on the other counts.

ARTHUR CHARLES WEST, *Sworn.*

Examined by MR. MAUDE.

- Q. What is your full name? A. Arthur Charles West, Chief Constable, Portsmouth.
- Q. Tell my Lord what you know about them, in the order in which they are sitting. A. My Lord, the defendant's name is Victoria Helen Duncan. She was born on the 25th November, 1898, at Callander, Perthshire. She was educated at Callander public school. She married Edward Duncan, who is apparently doing no work at the present time and travels about the country with the defendant. She has six children. Mrs. Duncan has been a so-called Spiritualist for many years past, and is well known as such in Edinburgh. She spends much of her time travelling about the country to carry out engagements as a medium. Neither Mrs. Duncan nor her husband pays income tax. She was convicted at Edinburgh Sheriff's Court of fraud on the 11th May, 1933, for obtaining £4 from various persons by pretending that she was a medium through whom the spirits of deceased persons were openly materialised as to become visible and to converse with those present in the room, and she was fined the sum of £10. In that case when this so-called Peggy appeared she was challenged by a lady, Miss Maule, and, when a torch was switched on, it was found that Peggy was a piece of material, and Miss Maule's finger went through this material and tore it. A Miss Mackay flashed an electric lamp, and Mrs. Duncan was seen sitting between the curtains in her stocking feet. She was bending forward with her head near her hand, and there was hanging before her white material which she was endeavouring to conceal by pushing it up under her clothes. Miss Maule said, "Mrs. Duncan, you are taking money by producing fraudulent materialisations, purporting to be deceased

friends of sitters. Each time I stretch my hand and find the chair where you are supposed to be sitting"——

THE RECORDER: I don't think I want the whole of that. A. Except I am coming to this point where she uses blasphemy. When she was challenged she said to Miss Maule: "I will brain you, you bloody bugger."

Q. That was in 1933? A. Yes.

Q. Have there been any complaints since? A. Not as far as I am aware. I cannot find any redeeming feature in her character——

Q. Except that she has not been in any trouble? A. No, that is true; she has not been in trouble. This is a case where not only has she attempted and succeeded in deluding confirmed believers in Spiritualism, but she has tricked, defrauded and preyed upon the minds of a certain credulous section of the public who have gone to these meetings in search of comfort of mind in their sorrow and grief, many of whom left with the firm conviction that the memory of the dead had been besmirched. She thought fit to come to Portsmouth, the first naval port of the world, where she would find many bereaved families, and there she practised her trickery.

Q. She may have been invited there by the Homers? A. Possibly. Can I finish this, my Lord?

Q. Yes. A. On one occasion in 1941 she was reported as having transgressed the security laws, again in a naval connection, when she foretold the loss of one of His Majesty's ships long before the fact was made public. I can only describe this woman as an unmitigated humbug who can only be regarded as a pest to a certain section of society.

Q. Now what about Mr. Homer? A. Mr. Homer comes from Staffordshire.

Q. Has he a good character? A. He has a good character; I know nothing against him.

Q. Does he obtain his living as a druggist? A. He is a druggist, he is not a qualified chemist. He is a dispenser of medicines; he is not a qualified chemist. It is true to say that on two occasions we have known of people who have convictions who practise there as mediums. One is now serving a sentence of two years in connection with some offence committed against a boy he met at this place.

MR. MAUDE: Not in connection with this type of charge? A. No.

THE RECORDER: He has no previous convictions against him? A. No, my Lord.

Q. What about Mrs. Homer? A. Mrs. Homer's correct name is Elizabeth Anne Jones: she is the wife of George Arthur Jones, from whom she has been separated for the past twenty-four years. She comes from Newbridge, Monmouthshire, and is fifty years of age. She was married when nineteen and has one daughter, Christine, about whom you have heard. During the last war it is said she toured France with a Lena Ashwell touring party entertaining troops in France. On the 19th August, 1940, they registered as a spiritualist church, No. 301 Copnor Road. It is safe to say that between the 11th February, 1942, and the 11th February, 1944, we have traced receipts which show that some £450 has been handed to charities, but I have no evidence that these are the amounts taken during the Duncan visits.

Q. Now tell me about Mrs. Brown? A. Mrs. Brown comes from County Durham. She was married on the 1st March, 1913, and normally resides with her husband at Newbottle, County Durham. On the 27th August, 1929, she appeared at Marlborough Street police court charged with larceny from the shop of Messrs. Selfridge. Another woman was concerned with her in this offence, and both were sentenced to 10 weeks' imprisonment in the second division. On the 16th September in the same year she appeared before the magistrates at Sunderland police court on a charge of shoplifting: three other cases were considered, and she was sentenced

to three months' imprisonment. That was concurrent with the unexpired portion of the last sentence.

Q. That was in 1929? A. Yes.

Q. Has she kept out of trouble since then? A. As far as I know, there is nothing recorded against her.

Q. What is her association with Mrs. Duncan? A. As far as I can find, she has been travelling about the country a good deal with the Duncans and apparently acts as agent in getting people to attend her performances. So far as the police can understand, she invariably acts as prompter to the audience when Duncan is acting in this way.

THE RECORDER: Is there anything you want to get, Mr. Maude?

MR. MAUDE: No, my Lord.

Cross-examined by MR. LOSEBY.

Q. When you speak of Mrs. Duncan as a humbug, are you referring to her in the capacity of her work as a Spiritualist medium? A. I am judging her entirely on the evidence produced in regard to the Portsmouth case.

Q. Do you purport to have any knowledge at all on the subject? A. No knowledge whatever.

Q. Is it a fact that people who are competent to judge say that as a materialisation medium she has a very high reputation? Have you made any enquiries in those quarters? A. I have made enquiries, but I cannot confirm your view.

Q. Neither one way nor the other? A. No.

Q. Is it a fact, as regards Mrs. Brown and Mrs. Duncan, that Mrs. Brown visited Portsmouth with Mrs. Duncan for the sole purpose of assisting her because she was at this time ill, and she acted in no other capacity? A. I have no evidence that that is correct.

Q. Is it a fact that she does not travel to other places with her? A. My information is that she has travelled quite a deal in this country with her.

Q. Where did you get that information from? A. Collected by the police in relation to the antecedents in this case.

Q. Is it a fact that Mrs. Duncan is a sick woman. Have you made any enquiries about that? A. I have made inquiries. There is the evidence of the naval doctor who said she was not ill at the time of this happening at 301 Copnor Road. Further, she was examined by my police surgeon immediately afterwards when she reached the police station, and the doctor gave a certificate and said then he could find nothing wrong with her other than suffering from fatty degeneration of the heart.

Q. Diabetes? Did he say anything about that? A. Yes, he understood from her she was suffering from diabetes.

MR. LOSEBY: My Lord, I am instructed that Mrs. Duncan is a very sick woman, and I am instructed that imprisonment might have a very adverse effect. I think I am entitled to say this—I am so instructed—that over a very long period of time merely amongst psychic researchers and people who profess to go into this matter and investigate it—of course I am not referring to this particular matter—Mrs. Duncan has had the highest possible reputation as a materialisation medium. I am instructed the work she has done in that direction in the interest, if I may say so, of science, has been such—only, of course, in the opinion of this particular school of investigators—that it is hardly possible to overestimate it. I would also say this, my Lord, that has involved, if I am rightly instructed, suffering on herself during these periods of what I am instructed are genuine trance, and for the purposes of this work she literally does take her life in her hands. I do not know whether her health has been affected by that particular

matter; it certainly was for a time affected by the affair at Portsmouth. I do ask your Lordship, if your Lordship can, in view of the finding of the jury, as to which of course I must say nothing, not to send her to prison if your Lordship can avoid that course.

THE RECORDER: I shall consider what is the proper course to take here. I will deal with this on Monday morning.

EIGHTH DAY.—MONDAY, 3RD APRIL, 1944.

SENTENCES.

THE RECORDER: Helen Duncan, Ernest Homer, Elizabeth Jones and Frances Brown, you have been found guilty of conspiring together to commit an unlawful act, namely, of pretending to recall spirits of deceased persons in a visible and tangible form; the emphasis, of course, is upon the word "pretending". Whether genuine manifestations of the kind are possible, the verdict of the jury here does not decide, and this court has nothing whatever to do with any such abstract questions. The jury found that the methods adopted by you in the exhibitions covered by the charge amounted to a fraud upon those who witnessed them.

It has been argued that the Statute of 1735, which makes false pretending an offence, is old and out of date, but fraud existed long before that Statute was passed and has prevailed in one form or another ever since. It was also suggested that Mrs. Duncan should be allowed to give a demonstration of her powers. Well, as I have said already, if this had taken place and nothing had appeared, Mrs. Duncan would have been condemned even before she had been tried. It would have been in effect a reversion to the dark ages, and to something very akin to trial by ordeal. It was not a question of Mrs. Duncan taking the risk; it was a question of her being tried according to the laws of the land, and there was nothing in this Prosecution directed against Spiritualism as such; and all those who may believe in genuine manifestations of a spiritual kind will, I imagine, welcome the expulsion of fraud from any of its observances. In law there is no uncertainty at all about the position of Spiritualists, among whom there are many sincere and devout persons. They are free to go their own way, and they are only responsible to the law when fraudulent practices are proved. In this respect they are no different from any other section of the community.

In this case the jury appeared to have little hesitation in finding that all of you had participated in a common fraud, and I must deal with the case upon that footing. There are many people, especially in War-time, sorrowing for loved ones. There is a great danger of their susceptibilities being exploited, and out of this yearning for comfort and assurance there are those unfortunately who are ready to profit. Many of those persons who seek that solace are trusting by nature and poor in circumstances, and the law endeavours to protect such persons against themselves. Now in this case Mrs. Duncan made £112 in six days, which is some indication of how willing people are to dabble in the occult. That being so, it is highly important in the interests of the community as a whole that these demonstrations should be conducted without fraud.

I have considered very anxiously the course that I should take, and I

have come to the conclusion that, as the jury have found this to be a case of plain dishonesty, I can make no distinction between the accused and others who are similarly convicted. In the case of Mrs. Duncan, she has made the most out of this, and the sentence of the Court upon her is that she be imprisoned for nine months.

So far as you, Frances Brown, are concerned, it is a long time ago since you were convicted of shoplifting, and I dismiss that from my mind altogether. It is quite plain that you took an active part in this, particularly by the exhibition of these photographs. It is quite true that they were so crude that you could hardly imagine that they would deceive anybody, but you were active in trying to impress upon them the genuineness of these exhibitions by the handling of these photographs. The matter cannot be therefore passed over in your case without there being some penalty, but I make it as lenient as I can, and the sentence of the court upon you will be one of four months' imprisonment.

So far as you, Ernest Homer, and you, Elizabeth Jones, are concerned, I think you are in a somewhat different position, both of you. I think it may well be that, like other people, you engaged Helen Duncan, and it may well be that your enthusiasm for what you may believe led you to close your eyes to what was going on. You both of you have good characters, and under those circumstances I do not think it is necessary to pass any sentence of imprisonment upon either of you, but I trust in future you will be on your guard against those who are only too ready to make money at the expense of credulous people. I am willing to believe that you belong to that class, although it is not a matter which can be regarded as altogether a matter without doubt. However, I am going to give you the benefit of that doubt, having regard to all the circumstances of the case, and particularly with regard to your good character hitherto, and I trust you will guard against such a situation in future to the utmost of your power.

In those circumstances you will both be bound over to be of good behaviour for a period of two years in your own recognizances in the sum of £5, which means you will hear no more about this if you behave yourselves and keep out of trouble; otherwise consequences are apt to follow, you understand.

MR. LOSEBY: Would your Lordship allow me to make an application to your Lordship under the Court of Criminal Appeal Act, namely, would your Lordship allow me to apply to your Lordship for a certificate that this is a proper case for appeal? I will give your Lordship my particular reasons for that application. It is my submission to your Lordship that there were at least three difficult matters really of law that I would like to have the opportunity of arguing before the Court of Appeal.

The first one is as to whether the Witchcraft Act of 1735 was applicable to the facts of this case at all—whether the facts of the case were applicable to that. The second thing is that this is a matter which I hope your Lordship will regard, or did regard, as a difficult matter, and that your Lordship would be glad that the Court of Appeal should share responsibility with your Lordship in the matter.

My Lord, I did open this case, but I attach great importance to two particular pieces of evidence, and I ask your Lordship only to say that your Lordship agrees that they are difficult matters to decide: the particular one of the two is the matter of the test of the woman subsequent to the initiation of proceedings. My Lord, I only put your Lordship's decision in that matter as a matter of difficulty, but your Lordship will bear in mind that I did open this case, and I should submit that, if that evidence were admitted, it being something in the nature and quality of a medical examination, that it would be conclusively in favour of Mrs. Duncan. Of

course, I might have been totally wrong, but your Lordship will bear in mind that I actually opened that matter, and your Lordship has held, after, I am sure, careful consideration, that that evidence was not admissible. I only ask your Lordship to say that your Lordship agrees, if your Lordship so thinks, that that is a matter of argument and difficulty.

Of course, the other matter is a matter to which your Lordship has referred, namely, a very unusual matter as to whether a person—whatever effect it may have upon the jury; because that is for me to decide and nobody else, in my submission; as to whether it would have helped me or not, I obviously was of opinion it would greatly help me—is entitled to say to a jury, just for what it is worth: I can do no more than submit myself under the same circumstances as prevailed at a particular time, and I ask you to observe, and I ask to be allowed to put myself into that same position. Your Lordship would I am sure agree, indeed your Lordship has said that if it had gone one way, that matter, in your Lordship's view, might have been conclusive against me; but, my Lord, isn't there the other point of view, that, if that had happened which possibly I thought might happen, it might have enabled the jury to follow the evidence possibly better than they did, but under any circumstances, might have influenced their minds, however slightly?

My Lord, those are the main points, but I attach particular importance to the point, and again I respectfully urge that it is a difficult point, of the examination, at which your Lordship will remember I stated that there were five persons present. All that, my Lord, was ruled out. My Lord, it is of importance just in this manner. I am sure that your Lordship would agree that, if by chance there had been any error in the matter at all, in a clearly difficult matter, it would be unfortunate if the case for appeal did not come on, as it well might not, for three months or more, during which period of time, this woman might have been kept in prison, and thereafter for it to be decided that the trial was quashed.

My Lord, it would greatly assist me in the matter of bail, and the application itself, my Lord, assists me in making it plain that the matter is *sub judice*. There is importance in that. I should be grateful if your Lordship would say that these are arguable matters, and, that being the position, your Lordship would certify that it is a proper case for appeal. If I might respectfully say so, it would be gracious of your Lordship, if your Lordship felt that you could assist me in the matter. I am much obliged, my Lord.

THE RECORDER: Yes, well, Mr. Loseby, you have said all that you could possibly say in the matter. I am unable to see that this case deserves a certificate. It certainly does not come within the sub-section of the Act, and the Court of Criminal Appeal strongly discourages a trial Judge giving a certificate, except in a case where it is clear that it should be granted. In those circumstances it is not a matter of graciousness, it is a matter of judicial discretion, which I hope can be exercised without a lack of grace; and it is an application to which I cannot accede.

MR. LOSEBY: Could I now ask your Lordship for a further favour? Only in view of certain press comments, would your Lordship allow me to say that this matter will be again *sub judice* before the day is out? I say that only, my Lord, for the purpose of press comment, the press having been rather free with their headlines in this matter right throughout this trial. My Lord, if the press know that the matter is *sub judice*, as it may well be *sub judice* within two hours from now, it would assist them.

THE RECORDER: They have heard what you said, Mr. Loseby. Of course, you have been rather a temptation to them.

MR. LOSEBY: My Lord, I respectfully agree. I am much obliged to your Lordship.

COURT OF CRIMINAL APPEAL.

LAW COURTS, W.C.2.
Monday, 19th June, 1944.

Before
 THE LORD CHIEF JUSTICE OF ENGLAND
 (Viscount Caldecote of Bristol),
 MR. JUSTICE OLIVER, and
 MR. JUSTICE BIRKETT.

(The same counsel appeared as at the Trial.)

GROUNDS FOR APPEAL

1. That the Indictment as drawn discloses no offences under the Witchcraft Act, 1735, and should be quashed.
2. That the learned Recorder wrongly directed the jury that a pretence to hold communion with spirits of deceased persons constituted an offence under the Witchcraft Act, 1735.
3. That there was no evidence of any acts by accused constituting an offence under the Witchcraft Act, 1735.
4. That the learned Recorder wrongly rejected evidence by the prisoner Duncan purporting to demonstrate and prove that at all material times she was a materialisation medium, and to disprove the allegations made against her.
5. That the learned Recorder wrongly rejected evidence of an examination by expert witnesses on or about the 15th day of March, 1944, calculated to prove that upon that date and at all material times the prisoner Duncan was a materialisation medium, and to disprove the allegation made against her.
 The witnesses disallowed were Lawrence, Hawker, Elliott, Hannen Swaffer, McIndoe and Bailey.
6. That the learned Recorder failed to direct the jury on the law of the case or as to the facts of the case, and in particular on the following matters:—
 - (a) He failed to review the evidence or adequately to review the evidence as to the conspiracy alleged.
 - (b) He failed to sum up the evidence given for the Defence or to review it with reasonable accuracy or in any way to explain or do reasonable justice to the evidence given for the Defence.
 - (c) He wrongly asserted to the jury, and without any foundation in fact, that "for reasons best known to themselves the Defence had thought it necessary to fortify the case by using the resources of the community of Spiritualists".
 - (d) He stressed the importance of the failure of the prisoner Duncan to appeal against a previous conviction whereas in law the prisoner Duncan had no right of appeal.
 - (e) The learned Recorder exhibited bias throughout.
7. That the learned Recorder wrongly refused to allow Counsel for the Defence to call the prisoners or not to call them at any time at the discretion of Counsel for the Defence.
8. That there was no evidence sufficient to found the conviction.
9. That the verdict of the jury was against the weight of the evidence. The verdict of the jury was unreasonable and perverse.
10. That the trial was unsatisfactory and that there was a miscarriage of justice.
11. That the learned Recorder wrongly allowed evidence of a previous conviction of the prisoner Duncan.

JUDGMENT

THE LORD CHIEF JUSTICE: This was an appeal by four Appellants against their conviction at the Central Criminal Court on March 31st, 1944, of conspiracy to contravene the provisions of section 4 of the Witchcraft Act of 1735.

Victoria Helen Duncan was sentenced to nine months' imprisonment, and applies for leave to appeal against sentence also. Frances Brown was sentenced to four months' imprisonment; Ernest Edward Hartland Homer and Elizabeth Ann Jones were each bound over for two years. In the case of these three Appellants the appeal is against conviction only.

The trial lasted for eight days. Twelve witnesses were called for the Prosecution and a great number for the Defence. The indictment contained seven Counts, the first Count of which was for conspiracy to contravene the provisions of section 4 of the Witchcraft Act, 1735. In the Particulars of Offence it was alleged that these four Appellants "conspired together and with other persons unknown to pretend to exercise or use a kind of conjuration, to wit, that through the agency of the said Helen Duncan spirits of deceased persons should appear to be present in fact in such place as the said Helen Duncan then was in, and that the said spirits were communicating with living persons then and there present".

The trial proceeded on Count 1 of the indictment only. There is no necessity to set out the facts of the case in any detail, and the essence of the matter may be given in a few sentences.

The Appellant Duncan is a professional medium, who was engaged at a substantial fee to give a series of seances in a registered church or temple, as it was called, at 301 Copnor Road, Portsmouth, maintained by the Appellant Homer over a chemist's shop which he had kept for many years. The Appellant Jones, known as Mrs. Homer, lived with him, and had done so for some twenty-five years. The Appellant Brown assisted Duncan and acted as her booking agent.

The evidence for the Prosecution was concerned with dates in December, 1943, and January, 1944, but principally with two dates, January 14th and January 19th. Evidence was given for the Prosecution of the happenings on these dates at the church, and of the parts played by the Appellants. After certain preliminaries, Duncan, dressed in black, was seated in a chair behind a curtain in a corner of the room. Homer and Jones sat near the front. The light was dim, being confined to a single red lamp at the back of the room. Duncan produced her spirit guide, who was called Albert, and he would say that he had a message for a person in a particular chair. Then, when the person indicated called out, a form would appear in the dim light of someone who claimed to be a friend or relative of one of those present. In some cases the material form was said to be that of an animal, such as a parrot or cat.

The case for the Prosecution was that the whole performance was an elaborate pretence, a fraudulent performance, a mere imposition on human credulity. This was sought to be established by evidence of messages going to the wrong seat owing to a change of occupant taking place by a mistake unknown to any of the Appellants; to messages purporting to come from relatives who had never existed; to the attempted seizure by a witness of a substance said to be ectoplasm emanating from Duncan, but which felt like cheesecloth, and which did not return to her as ectoplasm from a materialisation medium was said to do, but was caught away by someone among the congregation; to the fact that on one important occasion (the 19th January) Duncan was said not to be seated in the chair behind the curtain, but to be standing between the curtain pushing a piece of white cloth down her front to the ground, a cloth which appeared to be a very flimsy substance like butter muslin; that on the same occasion when

the lights were afterwards turned on, Duncan was found to be stooping down putting on her shoes, as though for some purpose she had been barefooted at some time during the sitting.

It is clear from this short recital, which is not intended to be complete or exhaustive, that there was evidence for the jury, which, if believed, would be evidence of a pretence that so-called materialisations, which were in fact produced by means of fraudulent devices and apparatus, were of a different nature altogether.

Homer, alone of the Appellants, gave evidence, and forty-four other witnesses gave evidence for the defence. The witnesses for the Defence who were present on the material dates, particularly the 14th and the 19th January, gave evidence denying that there were any elements of pretence or deception. The evidence was given in great detail on all the matters alleged by the Prosecution to be fraudulent or indeed suspicious. The jury had before them, therefore, in great fullness the evidence on both sides as to the facts, and had before them with equal fullness the submissions of Counsel upon these facts.

In addition to the witnesses called for the Defence who were present at the sittings which were made the subject of the indictment, the Defence called no less than twenty-six witnesses who were not present, but who gave evidence about Mrs. Duncan's performances as a medium over a long period of years, expressing their belief in her genuineness and informing the jury of the mysteries of the spirit world, the nature of ectoplasm, and a variety of matters of that kind.

We find it a little difficult to see on what principle that evidence was admitted in this case. The relevant period was the period covered by the indictment. The relevant enquiry was whether the Appellants had conspired, as alleged on these dates, to pass off a sham on their audience, and whether the Appellant Duncan had taken part in the alleged conspiracy. To examine what took place on other occasions scarcely seems relevant to the charge. The learned Recorder no doubt was anxious that in an unusual case some latitude should be given, and permitted the evidence to be called; but, had he excluded it, we do not think complaint could properly have been made. Indeed, we think it would have been rightly excluded.

In the course of the eight days of the trial at the Central Criminal Court, all the evidence given by witnesses, who were subjected to detailed cross-examination, and explained at considerable length by counsel, was before the jury; and the jury convicted the Appellants on Count 1 in the indictment, the only count on which the trial had proceeded.

The Appellants appeal to this Court on several grounds, some of which can be dealt with quite shortly before dealing with what was regarded by counsel for the Defence as his only point of law and as his most important ground, namely, the submission as to the Witchcraft Act of 1735 and the meaning to be attributed in law to the term "conjunction". This submission was contained in the first three grounds of appeal. The three grounds are virtually one, and I will deal with them after disposing of the other grounds first.

Ground 4 is a complaint that the learned Recorder wrongly rejected evidence by the Appellant Duncan purporting to demonstrate and prove that at all material times she was a materialisation medium and to disprove the allegations made against her. In the course of the argument in this court the learned counsel for the Appellants conceded that it was a matter for the discretion of the learned Recorder whether to allow such a demonstration to be given or not. The difficulty of arranging such a demonstration satisfactory in all its detail to both sides is obvious. To mention only one matter: if in the course of the demonstration ectoplasm was to be

alleged to emanate from the medium, would the jury be allowed to handle it, or to do anything to verify the appearance? Or would the jury have to be content with what they could see in a dim light such as was provided on the occasions in question? A host of similar difficulties can be seen both from the point of view of the Prosecution and of the Defence. It seems clear to us that no such demonstration, even if the circumstances in which it should take place could be agreed, and whatever it purported to show, could be conclusive on the only issue which the jury had to try, and indeed might well confuse the jury, or operate to the great disadvantage of the Appellants. We think the learned Recorder exercised his discretion wisely in this case; and we may add that he was fortified in what he did by the answer of the jury to the question he asked them as to whether they wished to see such a demonstration. No reasonable ground of complaint can be sustained on this point.

Ground 5 is in reality the same ground of complaint as appears in Ground 4, though expressed in a different form. It is that the learned Recorder wrongly rejected evidence of an examination by expert witnesses on the 15th March, 1944, to prove that the Appellant Duncan was a genuine materialisation medium. We think this evidence was rightly excluded as being irrelevant to the issue before the jury, which was confined in point of date to December, 1943, and January, 1944. An examination by expert witnesses in March, 1944, could not assist to determine the truth of the facts alleged to exist upon another date. If it was right to exclude the proffered evidence of a demonstration before the jury, it follows that the evidence of what took place on March 15th, 1944, in the absence of the jury, was likewise properly excluded.

Ground 6 is a complaint of the learned Recorder's direction to the jury on the law and on the facts. Particulars are set out in the Notices of Appeal.

The main complaint is that the Defence was not adequately placed before the jury. At every stage of the eight days' trial the main issue, or indeed the only issue of fact in the case, was before the jury in almost every word that was said either by the witnesses or by counsel. The Prosecution alleged that it was all a sham; the Defence asserted with a wealth of witnesses that everything was completely genuine. The learned Recorder could not be expected to repeat the evidence of eight days, but he did review before the jury the main points of the evidence, and told the jury what was the question they had to decide. We think he succeeded within reasonable limits of time in reminding the jury of the evidence that had been given for the Defence. It would be unreasonable to expect the learned Recorder to comment on each piece of evidence; and indeed it was not necessary, when the essential matter to which all the evidence was directed was so plainly before the jury from the first moment to the last. For a criticism of this kind to succeed the Appellant must show that the misdirection of the presiding Judge was such, and the circumstances of the case were such, that it is reasonably probable that the jury would not have returned their verdict had there been no misdirection; and the burden of establishing this is upon the Appellant. It is really impossible to say there was any such misdirection here. The case for the Appellant had been laid before the jury with great fullness by the learned counsel for the Defence, and the details of the evidence most forcibly presented, and it was not necessary that it should all be rehearsed again by the learned Recorder. It was enough if the issue was properly presented and if the jury were directed on the evidence relating to that issue. We find that that was done in this case, and this ground of appeal also fails.

A further ground of appeal was taken before us that the learned Recorder wrongly admitted evidence of a previous conviction of the Appellant Duncan. This was included in the original Notice of Appeal, though it

was omitted from the amended Notice of Appeal. But such a contention is quite hopeless. Twenty-six witnesses at least were called especially to prove that the Appellant Duncan was a materialisation medium of standing and repute. It was suggested that if, as was said to be the case, the word "genuine" was omitted from every question coming from the Defence relating to the materialisation medium, the Prosecution would be debarred from proving the previous conviction for fraud as a medium so as to show that her record was not so blameless as was suggested. Such a contention could not possibly be accepted. The evidence was most plainly admissible and proper, in order that the jury might be informed not only of part of the facts but of the whole of them. This ground of appeal also fails.

Further grounds of appeal were that the learned Recorder refused to allow counsel for the Defence to call the Appellants or not to call them at any time at the discretion of counsel for the Defence; that there was no evidence to found the conviction; that the verdict of the jury was against the weight of evidence; that the verdict of the jury was unreasonable and perverse; and that the trial was unsatisfactory and that there was a miscarriage of justice.

We cannot find anything of substance in any of these contentions. The learned Recorder ruled that the ordinary procedure in calling witnesses should be followed, and that there were no circumstances which made any special procedure necessary; but however this may be, the Recorder certainly did not prevent counsel for the Defence from calling the Appellants or any of them. One of the Appellants, Homer, was in fact called and, if it had been desired, all or any of the other Appellants could certainly have been called. There was abundant evidence on which the jury could convict if they were so minded, and it is quite impossible to say the verdict was against the weight of the evidence, or that the verdict of the jury was unreasonable or perverse. The decision on the evidence was for the jury, and there is no substance in the submission that the trial was unsatisfactory or that there was a miscarriage of justice. The trial was certainly unusual in its form, but, if there was anything unsatisfactory about it, it was rather in the great latitude accorded to the Defence in the conduct of the case, and the reception of evidence which in a strict view of the law of evidence should have been excluded.

There remains for consideration the point taken in the first three grounds of appeal, that there was no evidence of any acts by the Appellants constituting an offence under the Witchcraft Act of 1735, and that the learned Recorder wrongly directed the jury that a pretence to hold conversation with spirits of deceased persons constituted an offence under the Act. The argument was that the proper direction would have been to tell the jury that only a pretence to hold conversation with wicked and evil spirits was forbidden by section 4 of the Act of 1735. In the course of an interesting and elaborate argument, Mr. Loseby cited the authorities who had written on the word "conjunction" before 1735, and quoted from some of the dictionaries published after 1735.

The conspiracy of which the Appellants were found guilty was a conspiracy to contravene section 4 of the Witchcraft Act of 1735, and the material words in Count 1 of the Indictment were: "To pretend to exercise or use a kind of conjunction, to wit, that through the agency of the said Helen Duncan spirits of deceased persons should appear to be present in fact in such place as the said Helen Duncan then was in, and that the said spirits were communicating with living persons then and there present". "To pretend to exercise or use any kind of conjunction" are the words of the Statute, 2 *George II, chapter 5 (iv)*, and it is important to look at the history of this matter. I may begin with the Statute 33 *Henry VIII, chapter 8*, which uses the words "conjunction of spirits" with no reference

to evil spirits at all. That Act was repealed by a Statute of Edward VI, which in turn was followed by the Statute 5 *Elizabeth*, chapter 16. This last Statute, before speaking of the repeal of the Statute of Henry VIII by the Statute 1 *Edward VI*, chapter 12, speaks of "the wicked offences of conjurations and invocations of evil spirits", which were made felonies by the Statute of Henry; whereas the words "evil spirits" do not occur in the Statute of Henry VIII at all. That Statute merely speaks of the practice of "invocations and conjurations of spirits". The next Statute dealing with this matter was the Statute 1 *James I*, chapter 12, which speaks of the conjuration of evil and wicked spirits". The Statute was a characteristic example of the attitude of James I to this practice. Finally, the Statute 2 *George II*, chapter 5 (iv), after repealing the Statute of James, speaks of "conjuration" without reference to spirits, or evil and wicked spirits, but simply "any kind of conjuration".

Now the point submitted by Mr. Loseby is that the word "conjuration" in the Statute of George II has only one meaning, and that meaning has been well defined and crystallised in law. He says it bears the meaning in the language of Cowell's *Interpreter*, a publication of 1672, as contained in the following passage: "It is especially used for such as have personal conference with the Devil or Evil Spirits". He cited from the Third Part of Coke's *Institutes*, Hawkins's *Pleas of the Crown* and many dictionaries, but the definition I have quoted contains the main point of his submission. We must be allowed to doubt whether Cowell's *Interpreter* possesses the authority claimed for it by Mr. Loseby, and we certainly do not think that this meaning or interpretation is to be given to the words "any kind of conjuration" in 2 *George II*, chapter 5. Indeed the express alteration from the Statute of James I which is being repealed, and the use of the words "any kind of conjuration" without reference to spirits, evil or otherwise, would seem to indicate the contrary.

In the sixteenth and seventeenth centuries the word "conjuration" was commonly used with reference to traffic with spirits. In those centuries the minds of men were greatly concerned with the evils which they believed arose from such conference, and as a result of the teaching of the Church, based possibly upon passages in the Bible, all such spirits were regarded as and were apt to be described as evil spirits. Conjuration of these evil spirits was an offence, it was said, against God and Religion and was usually linked with witchcraft, enchantment, invocation and sorcery, the punishment for which, as for heresy, was burning in early times. But "conjuration" was not a word which was to be taken to mean only "conjuration of evil and wicked spirits". That was an express meaning given to it by the inclusion of the words in the Statutes where such words appear. The *Oxford English Dictionary* gives examples of its use in different ages right down to modern times. Coke's *Institutes*, Third Part, associate the word "conjuration" with invocation and seem to suggest that the two words have the same meaning. The learned author quotes the case of King Saul from the First Book of Chronicles: "So Saul died for his transgression and also for asking counsel of one that had a familiar spirit to inquire of it and inquired not of the Lord." We do not think that the words "any kind of conjuration" in the Statute 2 *George II*, chapter 5 can be limited in the way Mr. Loseby suggests. In the first place, it is to be observed that the offence described in the Statute is the pretence to exercise or use "any kind of conjuration". Secondly, it appears plain that, with the abolition of the felonies of Witchcraft, Sorcery, Enchantment or Conjuration, the minds of men were making an advance. These things were no longer believed in, but the Statute of George II did not go the length of allowing anyone to make the pretence of engaging in converse with spirits, not being evil spirits. Such a distinction would raise an issue of fact

incapable of determination and based on no intelligible principle of law or religion.

In our judgment, the words of the section with which we are concerned in this case are all-important. What was aimed at, as shown by the language of the Statute itself, was that ignorant persons should not be deluded or defrauded by the *pretence* to exercise or use any kind of conjuration. The reference to "evil spirits" is omitted, and the words "any kind of" were added; and in our opinion these words are wide enough to cover the conspiracy alleged, which the jury have found to be proved in this case. It was repeatedly emphasised at the trial by the learned Recorder, and must be emphasised here again, that the only matter to be decided by the jury was whether there was a pretence or not. The Prosecution did not seek to prove that spirits of deceased persons could not be called forth or materialised or embodied in a particular form. Their task was much more limited and prosaic; it was to prove, if they could, that the Appellants had been guilty of conspiring to pretend that they could do these things, and therefore of conspiring to pretend that they could exercise a kind of conjuration to do these things. That was the case made by the Prosecution to the jury, and the jury must be taken to have accepted the evidence for the Prosecution when they found the Appellants guilty of the conspiracy charged.

We think that all these appeals against conviction should be dismissed. The application of the Appellant Duncan for leave to appeal against sentence should also be dismissed. On the footing of the verdict of the jury, nine months' imprisonment was, in our opinion, in no way excessive.

MR. LOSEBY: Would your Lordship allow me to make an application?

THE LORD CHIEF JUSTICE: Yes.

MR. LOSEBY: The delay in this case by reason of well understood circumstances has been rather great.

THE LORD CHIEF JUSTICE: It may save you time and trouble if I say at once that we think the sentence should count as from the date of conviction in this case, as there was a real point of law to be argued.

MR. LOSEBY: I am much obliged.

THE LORD CHIEF JUSTICE: So far as Mrs. Brown is concerned, I am not sure whether she has served her sentence or not.

MR. LOSEBY: Yes, my Lord.

THE LORD CHIEF JUSTICE: She has. Then the sentence suffered should be increased, if necessary, to an extent to enable her to be released to-day.

A NOTE ON THE OLD BAILEY

by

HELENA NORMANTON*

*"When will you pay me?"
Say the Bells of Old Bailey . . .*

These words of the old Oranges and Lemons nursery game enshrine a historic fact; that the Old Bailey was in early days a Debtors' Court as well as the Sessions House for the Metropolis. It still is the Assize and Quarter Sessions for London and the adjacent legal area, but no longer deals with civil matters.

Whatever its origin, the ground upon which it stands has always been a focal point of the history of our land. The old Roman Wall of Londinium bent around the angle at the north-west of the fortress city. At the last rebuilding of the Old Bailey in 1902-1907 a portion of that Roman Wall was exposed and still remains beneath the foundations of the present building. Anyone to-day who crosses over from the main entrance of the Court towards Seacoal Lane opposite will find himself walking westwards down a slope reminiscent of that of a cinema floor; and well may it be so, for the fanshaped arena now so heavily built upon was once that of the Roman Amphitheatre where the romanised Britons enjoyed the spectacles of their day. At the end of Seacoal Lane the visitor will debouch into Farringdon Street with the Congregational Memorial Hall upon his left hand, which means that he is at the site of the Fleet Prison; so dear to the Tudors and particularly to red-haired Bess, who frequently sent to it those out of her favour either for seducing or for marrying her Maids of Honour—two offences which ranked for punishment much the same in her eyes.

But the Old Bailey itself was not in former days deprived of prison facilities, for it was contiguous to Newgate Prison. If our visitor will retrace his steps to the right from the descent of the entrance steps and turn round the north-west corner, a small tablet in the wall soon comes into view to proclaim the site of the Old Newgate which in former days also extended as an arched gateway across the main road now entitled Newgate Street.

Newgate was indeed the fifth great entrance into walled London, and both the arched gate itself and the neighbouring building constituted Newgate Prison.

Many and celebrated were the prisoners who went there. Owen Tudor, the progenitor of the dynasty named after him, was three times confined therein, leaving the prison by the simple method of escape until he terminated his career at Mortimer's Cross after his final gaolbreak. Thousands of the obscure rotted there in barbarous days, and in early times neither the Crown nor the City did much to feed them, so prisoners were allowed to beg through the bars at the street level. It is indeed through this fact that we may reasonably enough conjecture that Shakespeare knew Newgate and the Old Bailey. In *Measure for Measure*, Pompey says: "All great doers in our trade" (i.e. of a bawd) "are now for the Lord's sake". The prisoners who put their hands through the bars had a set formula for their begging: "For the Lord's sake". So it was Elizabeth's London, not Vienna, wherein Shakespeare really placed *Measure for Measure*! Moreover, a very short walk westwards along High Holborn

*Mrs. Normanton was called to the Bar in 1922 by the Middle Temple. She was the first woman to be briefed in the High Court and at the Old Bailey. To-day she is the Acting Junior (i.e. secretary) and Hon. Treasurer to the Central Criminal Court Bar Mess, quite unprecedented posts for a woman to hold.
—Ed.

brings one to the last vestige of the house of Shakespeare's patron, the Earl of Southampton: that is the narrow cutting entitled Southampton Buildings, just beyond Staple Inn. Whenever our dramatist walked eastwards from that house into the City towards the old Curtain Theatre he might hear the prisoners cry. Who can doubt that he often (when in the mood) turned into the old Court itself and heard a trial? Indeed it would put me to real effort if I for one tried to recall all the celebrated people of the theatrical world of to-day whom myself have witnessed following the great human dramas unfolding themselves. One of my most vivid recollections is of Charlie Chaplin, sitting there enthralled by a heart-rending abortion case. He is now a Life Governor of the Sheriffs' Fund, of which hereafter.

The Old Bailey itself takes its name, old Stow tells us, from a court formerly held upon "Bail Hill" by the Chamberlain (or Treasurer) of the City—which rather suggests that the Bailey may have begun life as a Civil Court, as the old rhyme confirms. However, by the time the contiguous prison of Newgate really flourished, the Bailey certainly also acted as a court for malefactors for "Gaol Delivery of Newgate, for the City of London and the County of Middlesex". As Henry III commanded the Sheriffs of London to repair the gaol at Newgate in 1218 it seems that the custom of keeping prisoners there was already an old one. Very possibly the period of the Norman Conquest saw the institution of Newgate as a prison and also the beginning of the adjacent Old Bailey as a criminal court. But I believe the Court to be somewhat older than the prison.

Dick Whittington, the celebrated Lord Mayor of Plantagenet days, left money in 1421 to rebuild Newgate. He used to be commemorated by a figure of liberty upon the former building, with a cat sitting at her feet. (One notes the suitability of the cat!) Nowadays the statue of Truth over the entrance door, duly gazing into her mirror, is contended by some young feminine prisoners to be that of a lady attending to her complexion, and it has been cited to me in Holloway as a precedent for not separating women prisoners from their supplies of cosmetics. Similarly, the statue of Justice upon the dome has been referred to by young citizens as that of "the Lady Justice of the Peace". It would seem that the architectural adornments of Courts call for some little thought.

The Sessions Court of Tudor days saw the trials of many who suffered during the successive doctrinal changes of the times; but perhaps no trials were conducted with more ferocity than those against the recusants under Elizabeth and James I. Probably the two most celebrated trials held there in Stuart days were those of Lord William Russell and of William Penn. The latter trial is commemorated by a tablet in the main hall: one outcome of it was the imprisonment of a stout-hearted jury who finally established the principle that a jury may return the verdict it thinks just. The foreman was named Bushell. Thus "Bushell's case" became of first-rate constitutional importance to all jurors and indicted persons.

The noblest as well as the basest have stood in the historic Old Bailey dock, has not a generation ago seen Emmeline Pankhurst tried there?

Another commemoration in the Hall is made by the massive statue of Elizabeth Fry, who did so much for women prisoners. But why the true beginner of humane work among prisoners, one Silas Todd, who first went to Newgate in 1744, years before Mrs. Fry did, should have been ignored, is a mystery. One also wonders why Howard who reported in 1784 upon Newgate, after many visits, should be likewise omitted. Let us have fair play, even to men, if that be not heresy in these days.

Much history survives one way or another in "the Bailey"—as barristers generally call it. Until War economics suspended the old customs, the opening of Sessions saw the floor of the judicial dais sprinkled with a sort of herbal *pot-pourri*, and the Judges' desks had rather charmingly countrified old nosegays of fresh flowers laid upon them daily. This was supposed to prevent the

contagion of gaol-fever from the dock. When the celebrated poisoner, Mrs. Manning, was being tried, she did not fully approve of her own Counsel's speech—by no means a rare occurrence—so she threw at him some of the spikes of rue and herbs from the dock ledge. The Bar in general became her beneficiaries, so the custom of giving prisoners a sort of herbal barrier was thereafter discontinued. The Bar used to be supplied with beautiful quill pens. I do hope that this revives!

The Old Bailey at present is administered under a statute of 1834, whilst Newgate prison itself has disappeared, although the cells in the basement to which prisoners are daily brought for trial are by a legal fiction counted as part of Brixton Prison. I believe this dodges the Habeas Corpus Acts.

"The Lord Mayor, the Sheriffs, the Lord Chancellor" (such is the order of the Act!), "the Judges, the Aldermen, Recorder, the Common Sergeant of London, the Judge of the Sheriff's Court, the City Commissioner and any others whom the Crown may appoint" are the lawful Judges at the Central Criminal Court. Anyone (other than the High Court Judge) sitting as "red" Judge there is in strict theory a delegate of the Lord Mayor, and for that reason is addressed as "My Lord". The Recorder, "the mouthpiece of the City", is the most important Judge upon the permanent judicial staff of the City, and after him ranks the Common Sergeant.

In the Middle Ages the Recorder was paid 100 marks and the Common Sergeant £10 annually. It is understood that these salaries have since been increased. It was laid down in the *Liber Albus* that the Recorder was to be "grave and learned, skilful in the law of the City, a most virtuous apprentice of the Law, endowed with mind eminent for eloquence." We get all this. It is also the historic privilege of the Recorder to declare and certify the ancient customs of the City of London.

The Common Sergeant is "to attend the Lord Mayor and Court of Aldermen on Court Days and be of Council with them on all occasions. . . . He is also to take care of Orphans' Estates". This latter duty virtually came to an end when Charles II confiscated all the capital of the City Orphans: which, incidentally, they never regained, although William III allowed certain of them some of the interest arising upon it.

There is a permanent Bar attached to the Court called the Central Criminal Court Bar Mess. It is a self-perpetuating body, electing new members as they come forward. These Counsel between them conduct the minor prosecutions on a sort of rota system; and also the majority of the defences. The serious prosecutions are handled by six eminent Counsel called Treasury Counsel, occasionally assisted by the Law Officers of the Crown. Treasury Counsel, if suitably remunerated, can and do conduct important defences. But clients may also through their solicitors brief any other Counsel to defend them.

Perhaps Henry V's phrase, "*This happy band of brothers*," would best describe the Bar Mess—if one might add the words "and sisters". There can be no better *camaraderie* and helpful good-nature in the world than that of the C.C.C. Bar Mess.

There is also attached to the Court a competent and kindly staff of Probation Officers who are greatly helped by a fund generously collected and managed by the Sheriffs, called the Sheriffs' Fund. This assists poor dependents of prisoners, and is helpful in various other useful ways.

A vast amount of administrative work is done behind the scenes in the preparation of arraignments, the recording of convictions, and so on. This is controlled by that important official, the Clerk of the Central Criminal Court, assisted by a hardworking and courteous staff. The Director of Public Prosecutions also has an office and a staff within the building.

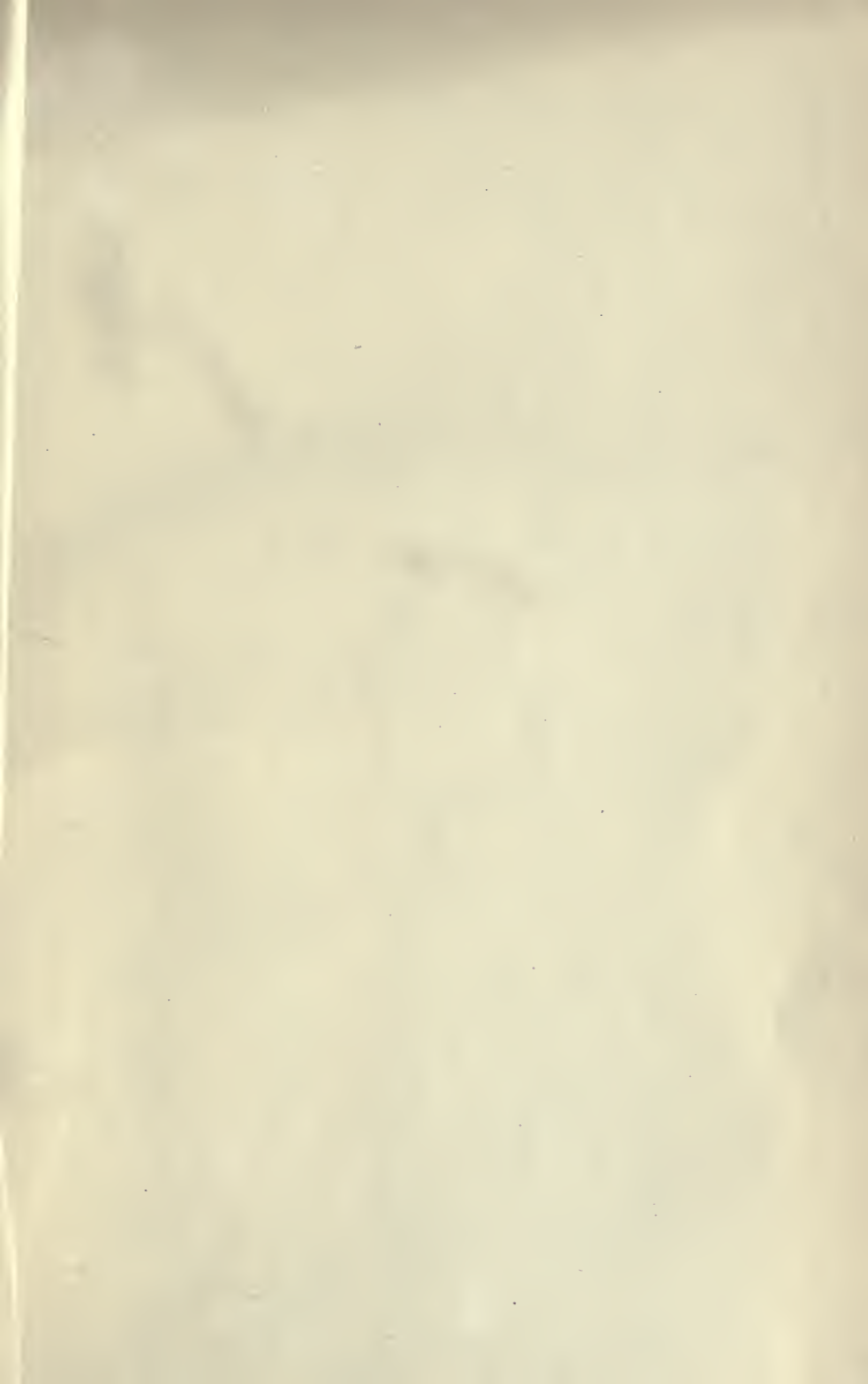
An immense amount of harmony prevails at the Old Bailey. Prisoners are very kindly treated there. Browbeating cross-examination of the old type

of fiction is unknown, and often one is told by prisoners how much unexpected kindness has been shown by officials and warders. Nevertheless the majesty of the law is vindicated with great dignity.

But the great person after all at the Old Bailey is the Lord Mayor. He formally opens the Sessions.

What further can one say of that Stupendous Being? What add to the immortal dictum of Hazlitt that the City apprentice who does not revere the Lord Mayor will assuredly come to be hanged? Together with the Aldermen, Sheriffs and Under-Sheriffs, long may he flourish, and more especially so as the *fons et origo* of the most ancient and noble Court of Oyer and Terminer and General Gaol delivery within the British Commonwealth of Nations.

HELENA NORMANTON.



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24

MR. GREEN

25

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