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WITNESS FOR THE PROSECUTION

by Agatha Christie

|| SAMUEL FRENCH ||

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WITNESS FOR THE PROSECUTION was first produced at the Winter Garden Theatre, London on October 28, 1953. The performance was directed by Wallace Douglas, with sets by Michael Weight. The cast was as follows:

GRETA	Rosalie Westwater
CARTER	Walter Horsbrugh
MR. MAYHEW	Milton Rosmer
LEONARD VOLE	Derek Blomfield
SIR WILFRED ROBARTS	David Horne
INSPECTOR HEARNE	David Raven
PLAIN-CLOTHES DETECTIVE	Kenn Kennedy
ROMAINE	Patricia Jessel
CLERK OF THE COURT	Philip Holles
MR. JUSTICE WAINWRIGHT	Percy Marmont
ALDERMAN	Walter Horsbrugh
MR. MYERS, Q.C.	D.A. Clarke-Smith
COURT USHER	Nicholas Tanner
COURT STENOGRAPHER	John Byrning
WARDER	Denzil Ellis
THE JUDGE'S CLERK	Muir Little
1ST BARRISTER	George Dudley
2ND BARRISTER	Jack Bulloch
3RD BARRISTER	Lionel Gadsden
4TH BARRISTER	John Farries Moss
5TH BARRISTER	Richard Coke
6TH BARRISTER	Agnes Fraser
1ST MEMBER OF THE JURY	Lauderdale Beckett
2ND MEMBER OF THE JURY	Iris Fraser Foss
3RD MEMBER OF THE JURY	Kenn Kennedy
A POLICEMAN	David Homewood
DR. WYATT	Graham Stuart
JANET MACKENZIE	Jean Stuart
MR. CLEGG	Peter Franklin
THE OTHER WOMAN	Rosemary Wallace

WITNESS FOR THE PROSECUTION was subsequently produced at Henry Miller's Theatre in New York City on December 16, 1954. The performance was directed by Robert Lewis, with sets by Raymond Sovey and costumes by Kathryn Miller. The cast was as follows:

GRETA	 Mary Barclay
CARTER	 Gordon Nelson
MR. MAYHEW	 Robin Craven
LEONARD VOLE	 Gene Lyons
SIR WILFRED ROBERTS	 Francis L. Sullivan
INSPECTOR HEARNE	 Claude Horton
PLAIN-CLOTHES DETECTIVE	 Ralph Leonard
ROMAINE	 Patricia Jessel
CLERK OF THE COURT	 Ronald Dawson
MR. JUSTICE WAINWRIGHT	 Horace Braham
ALDERMAN	 R. Cobden-Smith
MR. MYERS, Q.C.	 Ernest Clark
COURT USHER	 Arthur Oshlag
COURT STENOGRAPHER	 W.H. Thomas
WARDER	 Ralph Roberts
THE JUDGE'S CLERK	 Harold Webster
1ST BARRISTER	 Henry Craig Nelson
2ND BARRISTER	 Brace Conning
3RD BARRISTER	 Ruth Green
4TH BARRISTER	 Albert Richards
5TH BARRISTER	 Franklyn Monroe
6TH BARRISTER	 Sam Kramer
1ST MEMBER OF THE JURY	 Jack Bittner
2ND MEMBER OF THE JURY	 Andrew George
3RD MEMBER OF THE JURY	 Dolores Rashid
A POLICEMAN	 Bryan Herbert
DR. WYATT	 Guy Spall
JANET MACKENZIE	 Una O'Connor
MR. CLEGG	 Michael McAloney
THE OTHER WOMAN	 Dawn Steinkamp

CHARACTERS

GRETA

CARTER

MR. MAYHEW

LEONARD VOLE

SIR WILFRED ROBARTS

INSPECTOR HEARNE

PLAIN-CLOTHES DETECTIVE

ROMAINE

CLERK OF THE COURT

MR. JUSTICE WAINWRIGHT

ALDERMAN

MR. MYERS, Q.C.

COURT USHER

COURT STENOGRAPHER

WARDER

THE JUDGE'S CLERK

1ST BARRISTER

2ND BARRISTER

3RD BARRISTER

4TH BARRISTER

5TH BARRISTER

6TH BARRISTER

1ST MEMBER OF THE JURY

2ND MEMBER OF THE JURY

3RD MEMBER OF THE JURY

A POLICEMAN

DR. WYATT

JANET MACKENZIE

MR. CLEGG

THE OTHER WOMAN

SETTING

ACT I

The Chambers of Sir Wilfrid Robarts, Q.C.

ACT II

The Central Criminal Court, London – better known as the Old Bailey.
Six weeks later.

ACT III

Scene One: The chambers of Sir Wilfrid Robarts, Q.C.
Scene Two: The Old Bailey.

TIME

ACT I

Afternoon.

ACT II

Morning.

ACT III

Scene One: The same evening.
Scene Two: The next morning.

NOTES ON CASTING

Agatha Christie was conscious that the large cast size of the play could be a problem for any company. She was willing to consider various solutions but put forward the following notes:

“As there are a large number of non-speaking parts, it may well be that amateurs or supernumeraries can be used where this is permissible, or members of the audience be invited on to the stage, and I believe that this would be greatly to the benefit of the play rather than lose the spectacle of a lot of people in the court scene.

Although Greta never appears at the same time as ‘The Other Woman’ i.e. the strawberry blonde in the final scene, this part should not be doubled, as the audience will think it is ‘plot’ – which, of course, it isn’t.

CARTER – Can double as Justice Wainwright.

INSPECTOR HEARNE – Can double as Policeman at end of last act.

PLAIN-CLOTHES DETECTIVE – Can be doubled by Warder.

CLERK OF THE COURT – Can be combined with Court Usher.

ALDERMAN – Can be dispensed with.

COURT STENOGRAPHER – Can be dispensed with.

JUDGE’S CLERK – Can be dispensed with.

SIX BARRISTERS – Four can be dispensed with.

THREE MEMBERS OF THE JURY – These can be dispensed with and the ‘taking of the oath,’ and ‘returning the verdict’ can be done by a voice ‘off.’

MR. MYERS, Q.C. – Can double Plain-clothes Detective.”

– Agatha Christie, 1957

This solution is considered pre-approved for production by Agatha Christie Ltd. Other combinations are considered for approval on application.

ACT I

(The chambers of Sir Wilfrid Robarts, Q.C. It is a narrow room with a door and window. There is a fireplace flanked by bookcases filled with heavy legal volumes. There is a desk and chairs. In the corner are some coat hooks attached to the wall. At night electric candle-lamp wall brackets and an angle-poise lamp on the desk light the room. The desk also has a telephone on it and is littered with legal documents. It is afternoon and there is sunshine streaming in through the window. The office is empty. GRETA, Sir Wilfrid's typist, enters immediately. She is an adenoidal girl with a good opinion of herself. She crosses to the fireplace, doing a "square dance" step, and takes a paper from a box-file on the mantelpiece. CARTER, the chief clerk, enters. He carries some letters. GRETA turns, sees him and quietly exits. CARTER moves to the desk and puts the letters on it. The telephone rings. CARTER lifts the receiver.)

CARTER. Sir Wilfrid Robart's chambers... Oh, it's you, Charles... No, Sir Wilfrid's in court... Won't be back just yet... Yes, Shuttleworth case... What – with Myers for the prosecution and Banter trying it? ...He's been giving judgment for close on two hours already... No, not an earthly this evening. We're full up. Can give you an appointment tomorrow... No, couldn't possibly. I'm expecting Mayhew, of Mayhew and Brinskill you know, any minute now... Well, so long.

(He replaces the receiver and sorts the documents on the desk. GRETA enters.)

GRETA. Shall I make the tea, Mr. Carter?

(CARTER looks at his watch.)

CARTER. It's hardly time yet, Greta.

GRETA. It is by my watch.

CARTER. Then your watch is wrong.

GRETA. I put it right by the radio.

CARTER. Then the radio must be wrong.

GRETA. *(Shocked.)* Oh, not the radio, Mr. Carter. That couldn't be wrong.

CARTER. This watch was my father's. It never gains nor loses. They don't make watches like that nowadays.

(CARTER picks up one of the typewritten papers.)

Really, your typing. Always mistakes. You've left out a word.

GRETA. Oh, well – just one word. Anyone might do that.

CARTER. The word you have left out is the word *not*. The omission of it entirely alters the sense.

GRETA. Oh, does it? That's rather funny when you come to think of it.

CARTER. It is not in the least funny.

(He tears the letter in half and hands the pieces to her.)

Do it again. You may remember I told you last week about the celebrated case of Bryant and Horsfall. Case of a will and a trust fund, and entirely owing to a piece of careless copying by a clerk...

GRETA. *(Interrupting.)* The wrong wife got the money, I remember.

CARTER. A woman divorced fifteen years previously. Absolutely contrary to the intention of the testator, as his lordship himself admitted. But the wording had to stand. They couldn't do anything about it.

GRETA. I think that's rather funny, too.

CARTER. Counsel's Chambers are no place to be funny in. The Law, Greta, is a serious business and should be treated accordingly.

GRETA. You wouldn't think so to hear some of the jokes judges make.

CARTER. That kind of joke is the prerogative of the Bench.

GRETA. And I'm always reading in the paper about "laughter in court."

CARTER. If that's not caused by one of the judge's remarks you'll find he'll soon threaten to have the court cleared.

GRETA. Mean old thing. Do you know what I read the other day, Mr. Carter? "The Law's an Ass." I'm not being rude. It's a quotation.

CARTER. (*Coldly.*) A quotation of a facetious nature. Not meant to be taken seriously. You can make the tea –

(**CARTER** looks at his watch. He pauses, waiting for the exact second.)

– now, Greta.

GRETA. (*Gladly.*) Oh, thank you, Mr. Carter.

CARTER. Mr. Mayhew, of Mayhew and Brinskill, will be here shortly. A Mr. Leonard Vole is also expected. They may come together or separately.

GRETA. (*Excitedly.*) Leonard Vole? Why, that's the name – it was in the paper...

CARTER. (*Repressively.*) The tea, Greta.

GRETA. Asked to communicate with the police as he might be able to give them useful information.

CARTER. Tea!

GRETA. It was only last...

(**CARTER** glowers at **GRETA.**)

The tea, Mr. Carter.

(**GRETA** exits. **CARTER** continues his arrangement of the papers, muttering to himself.)

CARTER. These girls. Sensational – inaccurate! Don't know what the Temple's coming to.

(He examines a typewritten document, makes an angry sound, picks up a pen and makes a correction. GRETA enters. Announcing:)

GRETA. Mr. Mayhew.

(MR. MAYHEW and LEONARD VOLE enter. MAYHEW is a typical middle-aged solicitor; shrewd, dry and rather precise in manner. He carries a briefcase. LEONARD is a likeable, friendly young man, about twenty-seven. He is looking faintly worried.)

MAYHEW. Sit down, Mr. Vole. Good afternoon, Carter.

(GRETA exits, staring at LEONARD over her shoulder.)

CARTER. Good afternoon, Mr. Mayhew. Sir Wilfrid shouldn't be long, sir. Though you never can tell with Mr. Justice Banter. I'll go straight over to the Robing Room and tell him that you're here – with...

MAYHEW. With Mr. Leonard Vole. Thank you, Carter. I'm afraid our appointment was at rather short notice. But in this case time is – er – rather urgent.

(CARTER makes to the door.)

How's the lumbago?

CARTER. I only feel it when the wind is in the east. Thank you for remembering, Mr. Mayhew.

(CARTER exits. LEONARD prowls uneasily.)

MAYHEW. Sit down, Mr. Vole.

LEONARD. Thanks – I'd rather walk about. I – this sort of thing makes you feel a bit jumpy.

MAYHEW. Yes, yes, very probably...

(GRETA enters. She speaks to MAYHEW, but stares with fascinated interest at LEONARD.)

GRETA. Would you care for a cup of tea, Mr. Mayhew? I've just made it.

LEONARD. Thanks. I don't mind if –

(MAYHEW interrupts decisively.)

MAYHEW. No, thank you.

(LEONARD smiles at GRETA.)

LEONARD. Sorry.

(GRETA smiles then exits hurriedly.)

What I mean is, I can't believe it's me this is happening to. I keep thinking – perhaps it's all a dream and I'll wake up presently.

MAYHEW. Yes, I suppose one might feel like that.

LEONARD. What I mean is – well, it seems so silly.

MAYHEW. *(Sharply.)* Silly, Mr. Vole?

LEONARD. Well, yes. I mean I've always been a friendly sort of chap – get on with people and all that. I mean, I'm not the sort of fellow that does – well, anything violent.

(He pauses.)

But I suppose it will be – all right, won't it? I mean you don't get convicted for things you haven't done in this country, do you?

MAYHEW. Our English judicial system is, in my opinion, the finest in the world.

(LEONARD is not much comforted.)

LEONARD. Of course there was that case of – what was his name – Adolf Beck. I read about it only the other day. After he'd been in prison for years, they found out it was another chap called Smith. They gave him a free pardon then. That's a thing that seems odd to me – giving you a “pardon” for something you haven't done.

MAYHEW. It is the necessary legal term.

LEONARD. Well, it doesn't seem right to me.

MAYHEW. The important thing was that Beck was set at liberty.

LEONARD. Yes, it was all right for him. But if it had been murder now – if it had been murder it would have been too late. He would have been hanged.

MAYHEW. (*Dry but kindly.*) Now, Mr. Vole, there is really no need to take a – er – morbid point of view.

LEONARD. I'm sorry, sir. But you see, in a way, I'm rather getting the wind up.

MAYHEW. Well, try and keep calm. Sir Wilfrid Robarts will be here presently and I want you to tell your story to him exactly as you told it to me.

LEONARD. Yes, sir.

MAYHEW. But meantime perhaps we might fill out a little more of the detail – er – background. You are at present, I understand, out of a job?

LEONARD. (*Embarrassed.*) Yes, but I've got a few pounds put by. It's not much, but if you can see your way...

MAYHEW. Oh, I'm not thinking of – er – legal fees. It's just the – er – pictures I'm trying to get clear. Your surroundings and – er – circumstance! How long have you been unemployed?

(**LEONARD** answers everything readily, with an engaging friendliness.)

LEONARD. About a couple of months.

MAYHEW. What were you doing before that?

LEONARD. I was in a motor servicing firm – kind of mechanic, that's what I was.

MAYHEW. How long had you worked there?

LEONARD. Oh, about three months.

MAYHEW. (*Sharply.*) Were you discharged?

LEONARD. No, I quit. Had words with the foreman. Proper old b– (*He breaks off.*) That is, he was a mean sort of chap, always picking on you.

MAYHEW. Hm! And before that?

LEONARD. I worked in a petrol station, but things got a bit awkward and I left.

MAYHEW. Awkward? In what way?

LEONARD. (*Embarrassed.*) Well – the boss's daughter – she was only a kid, but she took a – well, a sort of fancy to me – and there was nothing there shouldn't have been between us, but the old man got a bit fed up and said I'd better go. He was quite nice about it and gave me a good chit.

(*He suddenly grins.*)

Before that, I was selling egg beaters on commission.

MAYHEW. Indeed.

LEONARD. (*Boyishly.*) And a rotten job they were, too. I could have invented a better egg beater myself.

(**LEONARD** catches **MAYHEW's** mood.)

You're thinking I'm a bit of a drifter, sir. It's true in a way – but I'm not really like that. Doing my army service unsettled me a bit – that and being abroad. I was in Germany. It was fine there. That's where I met my wife. She's an actress. Since I've come back to this country I can't seem somehow to settle down properly. I don't know really just what I want to do – I like working on cars best and thinking out new gadgets for them. That's interesting, that is. And you see...

(**SIR WILFRID ROBERTS, Q.C.** enters, followed by **CARTER**. **SIR WILFRID** is wearing his Q.C.'s jacket and bands and carries his wig and gown. **CARTER** carries **Sir Wilfrid's** ordinary jacket and bow tie.)

SIR WILFRID. Hullo, John.

MAYHEW. Ah, Wilfrid.

(**SIR WILFRID** hands the wig and gown to **CARTER**.)

SIR WILFRID. Carter told you I was in court? Banter really surpassed himself.

(*He looks at LEONARD.*)

And this is Mr. – er – Vole?

MAYHEW. This is Leonard Vole.

LEONARD. How do you do, sir?

SIR WILFRID. How do you do, Vole. Won't you sit down?

(LEONARD sits. CARTER assists SIR WILFRID to change his jacket and remove his bands.)

How's the family, John?

MAYHEW. Molly's got a touch of this twenty-four-hour flu.

SIR WILFRID. Too bad!

MAYHEW. Yes, damnable. Did you win your case, Wilfrid?

SIR WILFRID. Yes, I'm glad to say.

MAYHEW. It always gives you satisfaction to beat Myers, doesn't it?

SIR WILFRID. It gives me satisfaction to beat anyone.

MAYHEW. But especially Myers.

SIR WILFRID. Especially Myers. He's an irritating – gentleman. He always seems to bring out the worst in me.

MAYHEW. That would appear to be mutual. You irritate him because you hardly ever let him finish a sentence.

(CARTER exits, taking the wig, gown, jacket and bands with him.)

SIR WILFRID. He irritates me because of that mannerism of his. It's this –

(He clears his throat and adjusts an imaginary wig.)

– drives me to distraction, and he will call me Ro-barts – Ro-barts. But he's a very able advocate, if only he'd remember not to ask leading questions when he knows damn well he shouldn't. But let's get down to business.

(MAYHEW takes some typewritten papers from his briefcase and hands them to SIR WILFRID.)

MAYHEW. Yes. I brought Vole here, because I am anxious for you to hear his story exactly as he told it to me. There is some urgency in the matter, it seems.

SIR WILFRID. Oh?

LEONARD. My wife thinks I'm going to be arrested.

(He looks embarrassed.)

She's much cleverer than I am so she may be right.

SIR WILFRID. Arrested for what?

LEONARD. Well – for murder.

MAYHEW. It's the case of Miss Emily French. You've probably seen the reports in the press?

(SIR WILFRID nods.)

She was a maiden lady, living alone but for an elderly housekeeper, in a house at Hampstead. On the night of October the fourteenth her housekeeper returned at eleven o'clock to find that apparently the place had been broken into, and that her mistress had been coshed on the back of the head and killed.

(He turns to LEONARD.)

That is right?

LEONARD. That's right. It's quite an ordinary sort of thing to happen nowadays. And then, the other day, the papers said that the police were anxious to interview a Mr. Leonard Vole, who had visited Miss French earlier on the evening in question, as they thought he might be able to give them useful information. So of course I went along to the police station and they asked me a lot of questions.

SIR WILFRID. *(Sharply.)* Did they caution you?

LEONARD. *(Vaguely.)* I don't quite know. I mean they said would I like to make a statement and they'd write it down, and it might be used in court. Is that cautioning me?

(SIR WILFRID exchanges a glance with MAYHEW, speaking more to him than LEONARD.)

SIR WILFRID. Oh well, can't be helped now.

LEONARD. Anyway, it sounded damned silly to me. I told them all I could and they were very polite and seemed quite satisfied and all that. When I got home and told

WAIT, THERE'S MORE!

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